

41581

Jan 3, 1979

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BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

BOARD OF DIRECTORS ADJOURNED MEETING
DECEMBER 20, 1978

and

BOARD OF DIRECTORS REGULAR MEETING
JANUARY 3, 1979

Wednesday
January 3, 1979
9:30 a.m.

939 Ellis Street
San Francisco,
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Larry Asera, Edward J. Bacciocco, Jr.,
Barbara Boxer, Sam Chapman, Dominic L.
Cortese, Ralph P. Doetsch, Sr., Robert
A. Grimm, M. Patricia Hilligoss, James
P. Kenny, Pamela Ketcham, Quentin Kopp,
Laython N. Landis, Daniel A. McCorquodale,
Richard Oliver, Verne L. Roberts, Charles
Santana.

BOARD MEMBERS ABSENT:

Fred F. Cooper.

ADVISORY COUNCIL
MEMBERS PRESENT:

Robert J. Debs, Jack C. Oppenheimer.

STAFF MEMBERS PRESENT:

Milton Feldstein, Elvan P. Babylon,
Thomas F. Bell, Paul Brand, Hulan F.
Brinkley, Thomas H. Crawford, Warren
R. Crouse, Richard W. Grieves, Dario
Levaggi, Edward W. McHugh, John Phillips,
John F. Powell, Mabel Harder.

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STUDIES LIBRARY

JAN 18 1979

UNIVERSITY OF CALIFORNIA

Chairperson McCorquodale called the meeting to order at 9:35 a.m.

PUBLIC PRESENTATION

Mr. Gerald Desmond, the District's legislative advocate, reported on the status of funding for the 1979/80 fiscal year, stating there was a possibility there will be a \$4 billion State bail out to local government; that the Commission for Government Reform is suggesting a permanent takeover by the State of various areas such as welfare, the courts, and cost for public health.

Mrs. Boxer arrived at 9:37 a.m.

Mr. Desmond reported that the Governor is to present his budget on January 16 and that it is possible he will suggest a decrease in State employees; that SB-29 (Campbell) and SB-31 (Nejedly) would give funds to the District; that he has been discussing the possibility of entering legislation with respect to the District imposing emission fees.

Mr. Cortese arrived at 9:40 a.m.

Mrs. Boxer requested Mr. Desmond to send the Board when available that portion of the report of the Commission for Government Reform which refers to Special Districts with his analysis of it.

APPROVAL OF MINUTES OF DECEMBER 6 AND DECEMBER 20, 1978

COMMUNICATIONS

Barbara Boxer, Secretary

The following communications were received:

Alice Johnson
Lafayette

Inquiring as to the rational for terminating the Vehicle Patrol, stating that when reporting a violation to the local police or the California Highway Patrol, she was advised that there was little they could do unless the patrolman witnessed the violation himself.

Minutes Of The Affirmative Action Council Special
Meeting of November 28, 1978

C. N. Trainor
Belmont

Christmas Greetings.

Exxon Company, U.S.A.

Christmas Greetings.

Fran Du Melle
Staff Director
Air Conservation Council Of Northern California

Submitting three names for consideration for the Advisory Council.

Elva Edger, President
League of Women Voters of the Bay Area

Supporting Stana Hearne for a position on the Advisory Council.

Pacific Gas and Electric Company.

copy of letter to Milt Feldstein commenting on the proposed Breakdown Rule set for public hearing on January 3, 1979.

Burt Fleischer
Environmental Specialist
Allied Chemical

Submitting his resume for consideration as a member on the Advisory Council.

William Dixon, Mayor
City of Concord

Letter to Mayor Verne Roberts, City of Antioch, regarding the dismantling of its sewage treatment plant and an accidental fire which broke out, for which the City received violation notices from the District, and a request for the City to pay a fine of \$150.00; that the City Council does not feel it should be liable for any fine for an accidental fire; that it does not make sense for one public entity to be collecting fines from another over an accidental fire.

William Mehrwein, Secretary
Alameda County City Selection Committee

Copy of letter to the various Mayors advising of a meeting of the Committee on January 10, 1979 with respect to the term of Director Richard Oliver.

L. Michael Tompkins
Coordinator, Executive and Special Programs
University of California Extension
Davis

Notice of seminar entitled, Coping With Environmental Regulations, on February 1, 1979.

James P. Kenny

Submitting his resignation as a member of the Board, effective January 4, 1979.

William H. Evans
Chief Refinery Engineer
Union Oil Company of California

opposing proposed Regulation 15, Breakdown Conditions; Emergency Variances.

Assemblyman William J. Filante

opposing Regulation 3 proposed for bulk plants and terminals of small size, outlining its effects on small businesses.

DIVISION MONTHLY REPORTS

The following reports were presented:

Director of Enforcement Monthly Report for December, 1978; Director of Technical Services Monthly Activity Report, November 22, through December 19, 1978; Director of Engineering Services Division, November 21, 1978 to December 20, 1978; Director of Public Information Monthly Activity Report - November 25 - December 25, 1978; Status of Legal Matters - October 25, 1978 to November 21, 1978; Controller's Appropriation Statement & Cash Position, dated November 30, 1978.

SET PUBLIC HEARING FOR MARCH 7, 1979 FOR CONTROL OF ORGANICS FROM DEGREASERS

SET PUBLIC HEARING FOR MARCH 7, 1979 FOR CONTROL OF ORGANIC EMISSIONS FROM METAL COATING

SET PUBLIC HEARING FOR MARCH 7, 1979 FOR CONTROL OF ORGANICS FROM ASPHALT USE

The APCO's report entitled, Set Public Hearing for March 7, 1979 for Control of Organics from Degreasers, Metal Coating Operations and Asphalt Use, dated December 22, 1978, was presented.

BOARD TO AUTHORIZE THE APCO TO APPROVE CONTRACT WITH STATE HEALTH DEPARTMENT ON THE CANCER STUDY

The APCO's report entitled, Contract with California Department of Health Services, dated December 27, 1978, was presented.

Mr. Santana moved the approval of the above Consent Calendar items; seconded by Mr. Kenny; carried.

REPORT OF THE PERSONNEL COMMITTEE Richard Oliver, Chairperson

Mr. Oliver's report entitled, Advisory Council Appointments, dated January 3, 1979 was presented.

Mr. Oliver moved that the Board approve the Committee's recommendations with respect to the appointment of Advisory Council members as contained in his report; seconded by Mr. Chapman; carried.

CONTINUATION OF PUBLIC HEARING
FOR CONTROL OF NO_x EMISSIONS FROM
NATURAL GAS FIRED FAN TYPE FURNACES

The APCO's report entitled, Proposed Amendments to Reduce Emissions of Nitrogen Oxide from Natural Gas Fired Fan Type Central Furnaces - Regulation 11, dated December 27, 1978, was presented.

Mr. Feldstein reviewed the report, stating the Regulation had been discussed with the National Appliance Manufacturers Association and others, and that industry can meet the limits proposed. He requested a correction on page 2 to the formula to add, "H", and he presented the addendum thereto. He advised that section (1) (B) under Requirements was not in the South Coast Air Quality Management District rule and that this could be eliminated if the Board so desired.

Mr. Grimm requested Mr. Feldstein to give him some background data on a portion of the NO_x proposal.

Chairperson McCorquodale opened the public hearing at 9:55 a.m.

Mr. Powell presented the Clerk with nine Affidavits of Publication of Notice Public Hearing.

There were no presentations.

Mr. Chapman moved that the public hearing be closed at 9:57 a.m. and that Resolution No. 1102, In the Matter of Adopting Regulation 11 Relating to Natural Gas-Fired Fan Type Central Furnaces, be adopted; seconded by Mrs. Boxer.

In discussion, Mrs. Hilligoss requested that item (1) (B) under Requirements be eliminated, pointing out there was adequate time to look at further reductions. Mr. Chapman agreed to incorporate the elimination of said section in his motion.

Mr. Kopp arrived at 10:00 a.m.

The motion carried on roll call:

AYES: BACCIOCCO, BOXER, CHAPMAN, CORTESE, DOETSCH, GRIMM,
HILLIGOSS, KENNY, KETCHAM, KOPP, LANDIS, MCCORQUODALE,
OLIVER, ROBERTS, SANTANA.

NOES: NONE

ABSENT: ASERA, COOPER.

PUBLIC HEARING FOR CONSIDERATION
OF AN UPSET/BREAKDOWN RULE

The APCO's report entitled, Public Hearing for Proposed Regulations on Breakdown Conditions and Emergency Variances, dated December 27, 1978, was presented.

The following communications were received in connection with the proposed regulation:

Pacific Gas and Electric Company, dated December 18, 1978.

Union Oil Company of California, dated December 28, 1978.

Mr. Brinkley reviewed the rule, stating that five comments from industry were received on the original draft and that four specific changes were then made including redefining equipment, removing the word, "relating", describing "recurrent breakdown" in section 1d, deleting requirement for reporting excessive emissions, inserting the word, "knowingly" in section 6 line 2.

He explained the differences between this rule and that which the District previously had.

Mr. Asera arrived at 10:10 a.m.

Mr. Brinkley commented on the suggestions in PG&E's letter of December 18, 1978.

Mr. Lopp referred to PG&E's letter, specifically their comments on Section 2a and inquired if they were still concerned with the section as presently proposed.

Chairperson McCorquodale opened the public hearing at 10:19 a.m.

Mr. Powell presented the Clerk with nine Affidavits of Publication of Notice of Public Hearing.

The following made presentations:

Frank Strehlitz
Pacific Gas and Electric Company

In comments, stated they were now in agreement with Section 2a as presented. He presented a statement entitled, Recommended Changes to Draft Breakdown Rule, dated January 3, 1979. He suggested a study be initiated to include upset/breakdown as part of a regulation as previously, and that this be referred to the Advisory Council.

There was discussion of eliminating Section 3 (3) with respect to interfering with attainment and maintenance of any national ambient air quality standards, Mr. Feldstein stating that if the language were eliminated, ARB would not approve the regulation. Mr. Powell stated that EPA wants the language as presently proposed, which is out of the Clean Air Act.

There was discussion on how the Hearing Board could be contacted at nights and on weekends with respect to filing an emergency variance application, Ms. Harder advising that her home

telephone number and that of the Chairperson were filed with the answering service, who would contact them when any call relating to such variance application is received.

Mr. Landis expressed concern about the language and the fact that written procedures were not available. Mr. Feldstein responded that the Staff proposes that the regulation take effect in 30 days.

Forrest Bottomley
Union Oil Company of California

referred to his letter of December 28, 1978, and advised that because of the present proposal, they were withdrawing their objection, but emphasized that the regulation was cumbersome.

James Dehnert
Avon Refinery
TOSCO Corporation

In comments, stated that the proposal did not provide for the exclusion of starting up or shutting down equipment and suggested an addition to section 1 - Definition, to read:

- e. is the result of a necessary safety procedure during the shutdown of equipment for maintenance or its subsequent start up.

Mr. Powell advised that EPA would not approve this provision, stating it was in a previous rule which was not approved by them; that EPA has stated this specifically in the Federal Register, which he read.

Mr. Dehnert stated his proposal was for safety reasons and he did not feel the Hearing Board should be used for such matters.

Mr. Dehnert suggested that line 2 of 3a read, "and which persists no longer than the end of the production run---".

Mr. Dehnert suggested that 3b - lines 2 and 3 read: "which persists longer than the end of the production run or 24 hours, whichever is sooner shall constitute a violation of District regulation unless the owner or ---".

The Board recessed at 10:45 a.m. to honor Mr. Kenny because this was his last meeting after 18 years as a member of the Board.

On motion of Mr. Asera; seconded by Mr. Roberts; adopted Resolution No. 1103 entitled, In the Matter of Expressing the Appreciation of the Board of Directors of the Bay Area Air Quality Management District to James P. Kenny for His Services; on roll call:

AYES: ASERA, BACCIOCCO, BOXER, CHAPMAN, CORTESE, DOETCH, GRIMM, HILLIGOSS, KETCHAM, KOPP, LANDIS, MCCORQUODALE, OLIVER, ROBERTS, SANTANA.

NOES: NONE

ABSTAINING: KENNY

ABSENT: COOPER

Board reconvened at 11:00 a.m.

Dr. Bacciocco left at 11:00 a.m.

Richard Berby
Kaiser Cement and Gypsum Corporation

Presented a written statement entitled, Comments on Proposed Regulation 13 - Breakdown Conditions, undated.

Mr. Feldstein responded to the comments pointing out that the proposed rule was for very specific purposes; that investigation of an upset would take place within a reasonable time and well within 24 hours. Mr. Powell read from EPA requirements as to when an emergency variance can be claimed with respect to attainment and maintenance of national ambient air quality standards.

William D. Moriarty
Manager Operations-Manufacturing
Chevron Chemical Company

Suggested that in line 1 of section 2a the word, "shall" be changed to "may".

In discussion, Mr. Powell suggested that line 1 of 2a read, "The owner or operator in order to claim the benefit of this regulation, shall. . ."

Chairperson McCorquodale closed the public hearing at 11:20 a.m.

In discussion of the regulation, Mr. Kopp suggested a change in section 3b to read,

"An occurrence which constitutes a breakdown condition but which exceeds the end of the production run or 24 hours, whichever is sooner, shall not be excused unless the owner or operator has filed for a variance, based upon emergency conditions, in accordance with Hearing Board rules, and such variance subsequently issues."

Mr. Grimm suggested that 3a (3) line 1 use EPA wording, as follows: "The continued breakdown. . .". No action was taken on this request.

Mr. Kopp stated that he felt this section was ambiguous and unfair language for industry and for enforcement purposes and an unrealistic provision and that this should be brought to the attention of EPA and his remarks incorporated in any letter to them.

In discussion of 3a - it was agreed to change line 8 to read,

"that a breakdown condition exists and the APCO determines that the following requirements are met:"

Mr. Chapman moved the adoption of Resolution No. 1104, In the Matter of Adopting Regulation 15 Relating to Breakdown Conditions, with the recommended changes in Sections 2a, 3a, 3b, and that the Regulation take effect in 30 days from adoption; seconded by Mrs. Boxer; carried on roll call:

AYES: ASERA, BOXER, CHAPMAN, CORTESE, DOETSCH, GRIMM, HILLIGOSS, KENNY, KETCHAM, KOPP, LANDIS, MCCORQUODALE, OLIVER, ROBERTS, SANTANA.

NOES: NONE

ABSENT: BACCIOCCO, COOPER.

CONTINUATION OF PUBLIC HEARING
TO CONSIDER CONTROL OF EMISSIONS
FROM CAN/COIL COATING OPERATIONS

The APCO's report entitled, Can/Coil Coating Regulations, dated December 27, 1978, was presented.

Mr. Phillips outlined the regulation.

In discussion, Mr. Phillips advised that 24 plants were affected by the regulation; that ARB has estimated the reduction gained would be 12 T/D organics, which would be about a 50% reduction; compliance with the regulation would not involve major capital investment because it requires a change from solvent based coatings to water based coatings.

Mr. Cortese left at 11:50 a.m.

Mr. Phillips explained the equivalency between EPA and ARB's grams per liter; that major objections had been with respect to the flat sheet base coat and to the 250 grams on two piece can exterior base coat and overvarnish.

Chairperson McCorquodale opened the public hearing at 11:55 a.m.

Mr. Powell presented the Clerk with nine Affidavits of Publication of Notice Public Hearings.

The following made presentations:

George Payne
Can Manufacturers Institute

Presented a letter to the Board dated December 29, 1978 and by means of slides reviewed the energy consumption in that industry; the number of RACT categories affecting that industry; and emissions forecast. He stated in general they supported the Staff regulation but was concerned with the grams on two piece

can exterior and the effective date of end sealing compound and the testing method. He requested the hearing be continued until February 1, 1979 to develop definitive language with respect thereto.

Mr. Oliver left at 12:15 p.m.

R.D. McKirahan
American Can Company

Presented a written statement dated January 3, 1979, stating that they were opposed to the dates in the regulation.

Daniel Phelan
Interested Citizen

In comments, stated small businesses may be seriously affected; that the price for coil coating as outlined in section 303 was a big factor; suggested an exemption for those facilities that emit less than 25 T of VOC in a given period of time.

In discussion, Mr. Feldstein stated that Staff did not know how many small businesses would be affected and their emissions.

Mr. Landis moved that the public hearing be continued until February 7, 1979 to give time for a further workshop and to determine the number of small emitters; seconded by Mr. Kopp.

In discussion, it was pointed out that the regulation did not take effect until 1982.

Mr. Kopp moved an amendment to the motion that the matter be continued to January 17, 1979. There was no second.

Mr. Chapman suggested that a Special meeting be held January 24, 1979 and that the matter be continued until that date. Mr. Landis amended his motion to change the date to January 24, 1979 at 9:30 a.m., which was agreeable with Mr. Kopp.

Mrs. Boxer left at 12:35 p.m.

Albert Aronow
Sinclair Paint Company

Pointed out that whichever legislative body adopts the first such regulation would adopt it for the entire State because industry wanted a uniform regulation.

The motion carried.

Mr. Kopp left at 12:40 p.m.

CONTINUATION OF PUBLIC HEARING TO
CONSIDER CONTROL OF ORGANIC COMPOUND
EMISSIONS FROM TERMINALS AND BULK PLANTS

The APCO's report entitled, Continuation of Public Hearing to Consider a Proposed Regulation to Control Bulk Plants and Terminals, dated December 27, 1978, was presented.

Mr. Phillips reviewed the regulation.

Chairperson McCorquodale opened the public hearing at 12:50 p.m.

Mr. Powell presented the clerk with nine Affidavits of Publication of Notice of Public Hearings.

Mr. Landis moved that the public hearing be continued to 9:30 a.m. January 24, 1979, seconded by Mr. Doetsch; carried.

Mr. Feldstein reviewed the public hearings set for January 17, 1979.

Chairperson McCorquodale requested the Staff to notify the affected industry that regulation 17 - Control of Emissions from Auto Painting Operations - would be continued to January 24, 1979.

REPORT OF AIR POLLUTION CONTROL OFFICER
Milton Feldstein

Report on ICC Testimony on SP

The APCO's report entitled, Opposition of the Board to the Petition of Southern Pacific Transportation Company to Discontinue the Operation of Passenger Trains Between San Francisco and San Jose and Intermediate Points, dated December 27, 1978, was presented.

Request for Out of State Travel

Mr. Feldstein requested authorization for six Staff to attend a meteorological diffusion meeting in Reno at no cost to the District except for a District automobile. Mr. Doetsch moved the approval; seconded by Mr. Kenny; carried.

CHAIRPERSON'S REPORT
Daniel A. McCorquodale

Chairperson McCorquodale advised that on January 17, the Board would be meeting with some of the District Employees in the Board room at 8:30 a.m., and he requested as many Directors to be present as possible.

Chairperson McCorquodale announced that Mr. Callahan would be the speaker at the APCA West Coast Section meeting on January 11, 1979.

PUBLIC COMMENTS

There were none.

TIME AND PLACE OF NEXT MEETING

9:30 a.m. Wednesday January 17, 1979, 939 Ellis Street, San Francisco, California.

Meeting adjourned at 12:55 p.m.

Respectfully submitted,

Mabel Harder
Clerk of the District

MH:md

A1581
Jan 17, 1979

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BAY AREA AIR QUALITY MANGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
January 17, 1979
9:30 A.M.

939 Ellis Street
San Francisco,
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

INSTITUTE OF GOVERNMENTAL
STUDIES LIBRARY

FEB 13 1979

UNIVERSITY OF CALIFORNIA

Larry Asera, Edward J.
Bacciocco, Barbara Boxer,
Sam Chapman, Fred F. Cooper,
Ralph P. Doetsch, Sr., Robert
A. Grimm, Eric R. Hasseltine,
M. Patricia Hilligoss, Pamela
Ketcham, Quentin Kopp, L. N.
"Judge" Landis, Daniel A.
McCorquodale, Valerie Raymond,
Verne L. Roberts, Carol Ruth
Silver.

BOARD MEMBERS ABSENT:

Dominic L. Cortese, Frank H.
Ogawa.

ADVISORY COUNCIL MEMBERS
PRESENT:

Scott Lynn, Chairperson.

STAFF MEMBERS PRESENT:

Milton Feldstein, Elvan P.
Babylon, Thomas F. Bell,
Warren R. Crouse, Peter Hess,
Terry Lee, Dario Levaggi,
Edward W. McHugh, John Phillips,
John F. Powell, Mabel Harder.

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Chairperson McCorquodale called the meeting to order at 9:45 A.M.

Chairperson McCorquodale introduced the new Directors: Eric R. Hasseltine, Pamela Ketcham, Valerie Raymond and Carol Ruth Silver.

PUBLIC PRESENTATION

There were none.

APPROVAL OF MINUTES OF JANUARY 3, 1979

COMMUNICATIONS

Barbara Boxer, Secretary

The following communications were received:

Burt Okin, President
BAAQMD Professional Employees

Copy of memorandum to all Association Members and other Professional Employees with respect to District activities.

Charles Kinney
Northern California Building Industry Association

supporting Staff's proposed rule for control of NO_x emissions from Natural Gas Fired Fan Type Furnaces.

Board of Supervisors
Contra Costa County

Copy of Resolution appointing Supervisor E. H. Hasseltine to the District Board.

Richard H. Fahey
Diablo Petroleum, Inc.

supporting the proposed Fee Schedule to be discussed at a public hearing on February 7, 1979.

Evelle J. Younger
Attorney General

Expressing appreciation to the Board for its representation on the Attorney General's Environmental Task Force.

P. D. Bradley
Environmental Affairs Administrator
Southern California Gas Company

Requesting the rules and regulations of the District and to be put on mailing list.

Ralph Trower

Requesting that he be reappointed to the Hearing Board.

Steven W. Gossett, Manager
Raisch Products

Responding with respect to the Proposed Permit Regulations to be before the Board at a public hearing on February 7, 1979, suggesting that any fee structure be based on total emissions rather than on the number of sources; that the entire concept of the various fee schedules is abhorrent and irrational; that the permit regulation should be simplified and based on overall emissions.

Lawrence W. Appleton
Manager of Engineering
Kaiser Sand & Gravel Company

Commenting on the proposed Permit Fee Regulations to be discussed by the Board at a public hearing on February 7, 1979; opposing the proposed fee schedule due to a lack of justification and arbitrary method of determining the fees.

Dr. Kong Meng Tan

Expressing appreciation for being reappointed to the Advisory Council.

Affirmative Action Council Meeting Minutes for December 12 and December 19, 1978.

Victor Raahauge, President
Mare Ferry, Inc.

Opposing the proposed regulation on small bulk plants because of the cost for vapor recovery equipment.

Robert C. Jankovsky
Bob's A & M Market
Napa

Opposing the proposed regulation on small bulk plants because of the cost of controlling vapor recovery equipment.

Robert A. Grimm

Enclosing copy of his letter to the Inter City Council asking that he not be reappointed to the BAAQMD Board.

Mr. Grimm moved the approval of the above Consent Calendar items; seconded by Mrs. Hilligoss; carried.

REPORT OF ADVISORY COUNCIL
Scott Lynn, Chairperson

Dr. Lynn presented the Report of Advisory Council, dated January 11, 1979.

PUBLIC HEARING TO CONSIDER CONTROL OF
EMISSIONS FROM AUTO PAINTING OPERATIONS

Mr. Doetsch moved that the public hearing be continued until January 24, 1979; seconded by Mr. Roberts; carried.

PUBLIC HEARING TO CONSIDER CONTROL OF
EMISSIONS FROM REFINERY EQUIPMENT

The APCO's report entitled, Proposed Petroleum Refinery Equipment (Regulation 18) set for public hearing on January 17, 1979, dated January 10, 1979, was presented.

Messrs. Cooper and Kopp arrived at 9:50 A.M.

Mr. Feldstein outlined the need for RACT in the District's regulations.

Mr. Phillips reviewed the regulation, stating there was only one source that would have to install additional equipment, that industry has requested some exemptions which the Staff will review and make recommendation to the Board at a later date if they are warranted.

Mr. Landis arrived at 9:57 A.M.

Mr. Phillips stated that industry had also proposed some additional changes and he presented the report entitled, District Staff Recommended Changes to Proposed Regulation 18, dated January 16, 1979.

Chairperson McCorquodale opened the public hearing at 10:07 A.M.

Mr. Powell presented the Clerk with 9 Affidavits of Publication of Notice of Public Hearing.

Mr. Asera arrived at 10:08 A.M.

The following made presentations:

Forrest Bottomley
Union Oil Company

Requested a change in §205 to strike the word, "dissolved" so that the definition would exclude "induced air flotation" also.

The Staff had no objections to this and it was so agreed.

Mr. Kopp moved that the public hearing be closed at 11:09 A.M. and that Resolution No. 1105, In the Matter of Adopting Regulation 18 Relating to the Control of Organic Compound Emissions from Petroleum Refineries be adopted; seconded by Mr. Chapman; carried on roll call.

AYES: ASERA, BOXER, CHAPMAN, COOPER, DOETSCH, GRIMM, HASSELTINE, HILLIGOSS, KETCHAM, KOPP, LANDIS, MCCORQUODALE, RAYMOND, ROBERTS, SILVER.

NOS: NONE.

ABSENT: BACCIOCCO, CORTESE, OGAWA.

PUBLIC HEARING TO CONSIDER CONTROL OF
EMISSIONS FROM PAPER AND FABRIC COATING OPERATIONS

The APCO's report entitled, Proposed Paper, Fabric and Film Coating Regulation, dated January 10, 1979, was presented.

Mr. Feldstein advised that the purpose of the regulation was to further effect reduction of organic compounds to prevent the oxidant standard from being exceeded in order to attain and maintain the Federal Air Quality Standard, which was exceeded 92 times in 1978. He stated a workshop was held with affected industry and that a copy of the proposed Regulation was provided them.

Mr. Phillips reviewed the regulation, stating 8 companies would be affected; that flexible packaging operations will be included in a future regulation, of which there are 5 companies; that no response had been received from 46 companies; that EPA does not agree with the regulation.

In discussion, Mss. Silver and Boxer expressed concern that the Board did not know what type of companies would be affected by the regulations since there had been no response from some companies. Mr. Feldstein stated there are a few large operations who emit the major portion of organic materials and that the small operators are exempt; that a small operator would be using less than 3 gallons per day.

Johnson Lam
Air Resources Engineer
ARB

In comments, stated he only knew of one facility that would qualify for the 14#/D exemption, which was a research company; that he did not feel the 46 additional companies were affected by the regulation.

Dr. Bacciocco arrived at 10:35 A.M.

Mr. Phillips outlined the 8 companies affected. Mr. Crouse outlined the cost-benefit ratio of the regulation as compared to what the Staff felt was excessive cost-benefits.

Chairperson McCorquodale opened the public hearing at 10:45 A.M.

Mr. Powell furnished the Clerk 9 Affidavits of Notice of Public Hearing.

The following made presentations:

Robert B. Graves
Consultant
National Flexible Packaging Association

In comments, referred to the Graphic Art Guidelines received in January, stating it was very confusing. He outlined the problems of the flexible packaging companies in their attempt to comply with the new regulation; objected to the effective date of the regulation as being unrealistic; there is no incinerator system in the industry and industry is not sure this will work; that the cost for the equipment is staggering; that 87% of the California conveyors employ less than 100 people and they did not have capital to purchase after-burners; that any change in the formula of solvents used must receive government approval; that research on water base coatings has not been developed because of energy consumption and that it will take 4-5 years to develop such coatings; recommended that California in principle adopt the "bubble concept"; that the technology necessary to achieve compliance by January 17, 1981 will not be developed.

Ms. Silver left at 11:25 A.M.

Joe Gladky
Hexcel Company
Livermore

expressed concern about the cost for installing the equipment, stating it would be 20-80¢/#; that the program was inflationary.

Dan McNerney
ARB

explained the work which they did in developing the regulation, and the contacts made with affected industry; that cost-effectiveness is in the range of 14¢/#.

In discussion, Mr. Feldstein stated any change in the exemptions should be done after Staff has developed the information.

Mrs. Boxer moved the adoption of Resolution No. 1106, In the Matter of Adopting Regulation 16 Relating to the Control of Emissions from Paper, Fabric and Film Coating Operations, and that the Regulation be referred to the Advisory Council for review; seconded by Mr. Chapman; carried on roll call:

AYES: ASERA, BACCIOCCO, BOXER, CHAPMAN, DOETSCH, HASSELTINE, KETCHAM, KOPP, MCCORQUODALE, RAYMOND.

NOS: COOPER, GRIMM, HILLIGOSS, LANDIS, ROBERTS.

ABSENT: CORTESE, OGAWA, SILVER.

Chairperson McCorquodale requested the Advisory Council to report in 9 months.

CONTINUATION OF PUBLIC HEARING ON NEW
SOURCE REVIEW RULE

Chairperson McCorquodale advised that the Staff recommended this item be deferred for discussion until April 4, 1979, and that Staff appear before the ARB on January 24 at its public hearing on the matter.

The APCO's report entitled, Proposed ARB Modifications to Model Rule on New Source Review, dated January 10, 1979, was presented.

Mr. Powell reviewed the proposed changes the Staff was requesting in the NSRR to be effective immediately, as contained in a Resolution entitled, In the Matter of Amending Regulation 2 Relating to Permits, stating that it would eliminate the need for EPA concurrence; that ARB has indicated they agree with the Staff's proposed changes.

Chairperson McCorquodale inquired if there were any objections from the public to the Staff's recommendations; there were none.

Mr. Cooper stated he felt the Staff should determine if EPA will concur with the proposed changes, stating he was concerned that if it were adopted EPA might require industry to make changes in its operations at some future date if concurrence is not sought and that the matter should be continued until this was determined.

Mr. Cooper requested that the Staff provide a report in a month on EPA's regulation on banking.

After further discussion, Mr. Asera moved that the public hearing on the Staff's proposed changes be continued to February 21, 1979, and that the public hearing on the balance of the NSRR be continued to April 4, 1979; and that Staff appear before the ARB on January 24, 1979 to express concern with respect to ARB's proposed amendments, listed as "a" through "d" in the Staff's report dated January 10, 1979; seconded by Mr. Roberts; carried.

Mr. Kopp left at 11:50 A.M.

CONTINUATION OF PUBLIC HEARING TO CONTROL
EMISSIONS FROM LIGHTERING OPERATIONS

The APCO's report entitled, Public Hearing to Control Emissions, from Lightering Operations, dated January 10, 1979, was presented.

Mr. Peter Hess reviewed the regulation.

Chairperson McCorquodale opened the public hearing at 11:55 A.M.

Mr. Powell furnished the Clerk 9 Affidavits of Notice of Public Hearing.

A communication from Lester C. Bedient, Crowley Maritime Corporation, to Thomas Bell, dated January 12, 1979, was presented.

The following made presentations:

Sharon Rubalcava
WOGA

presented a written statement entitled, Proposed Regulation 12 Regarding Control of Organic Emissions during Vessel Lightering Operations, dated January 17, 1979, opposing the adoption of the regulation, stating there were safety and jurisdictional problems and pointing to the cost-benefit involved. She outlined technical changes which should be made in the regulation.

Mr. Powell reviewed the jurisdictional areas, referring to his memorandum on his opinion presented to the Board at an earlier meeting.

Mr. Hess advised that the ARB will hold workshops on this matter in early spring. In discussion of continuing the public hearing until it is determined what the ARB's action will be, Mr. Feldstein pointed out that the ARB has been discussing the regulation for 2 years; that it was a good one; that it would not take effect until 3 years after the Coast Guard gives its approval of the equipment. Ms. Rubalcava stated WOGA would prefer to wait until ARB adopts its rule.

Mr. Landis expressed concern about adopting a regulation on which costs were not known.

After further discussion, Mr. Cooper moved that the Staff provide a report in 90 days on the ARB proposal; seconded by Mrs. Hilligoss.

In discussion, Mrs. Boxer requested that the Staff also provide a background report on the questions raised by Ms. Rubalcava, particularly with respect to the 95% figure.

After further discussion, Mr. Cooper amended his motion to continue the public hearing until May 16, 1979 and that the Staff provide its report on April 18, 1979; which amendment was acceptable to Mrs. Hilligoss; the motion carried.

- - -

Mr. Landis requested that some future agenda contain an item for policy discussion with respect to downstream approaches of cost-effectiveness of regulations presented to the Board and the

technology for the proposals, so that the Board could better direct the Staff, and Chairperson McCorquodale so ordered.

REPORT OF AIR POLLUTION CONTROL OFFICER
Milton Feldstein

Report on SIAM Institute for Mathematics and Society

The APCO's report entitled, Proposed 5-years Study on "Statistics and Environmental Factors in Health" with SIAM Institute for Mathematics and Society, and Stanford University, Department of Statistics, dated January 9, 1979, was presented.

Mr. Feldstein requested the Board approve sending a formal letter of intent to the SIAM Institute to participate in said study, stating a formal contract would be presented to the Board at a future date. Mr. Cooper moved said approval; seconded by Mr. Doetsch; carried.

Report on Refunds and Transfer of Funds

The APCO's report dated January 9, 1979, was presented.

CHAIRPERSON'S REPORT
Daniel A. McCorquodale

Chairperson McCorquodale requested Ms. Harder to send the Directors notice to hold the afternoon of February 7, 1979 available for the Orientation Session.

- - -

Adopted Resolution No. 1107, In the Matter of Expressing the Appreciation of the Board of Directors of the BAAQMD to Charles Santana for His Services; and Resolution No. 1108, In the Matter of Expressing the Appreciation of the Board of Directors of the BAAQMD to Richard Oliver for His Services; on motion of Mr. Chapman; seconded by Mr. Cooper; carried on roll call:

AYES: ASERA, BACCIOCCO, BOXER, CHAPMAN, COOPER, DOETSCH, GRIMM, HASSELTINE, HILLIGOSS, KETCHAM, LANDIS, MCCORQUODALE, RAYMOND, ROBERTS.

NOS: NONE.

ABSENT: CORTESE, KOPP, OGAWA, SILVER.

- - -

The report, Pending Referrals from Board of Directors, dated January 4, 1979, was presented.

PUBLIC COMMENTS

There were none.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday January 24, 1979, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 12:30 P.M.

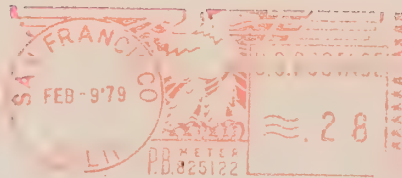
Respectfully submitted,

Mabel Harder
Clerk of the District

MH:js

BAY AREA
AIR QUALITY MANAGEMENT DISTRICT

939 Ellis Street
San Francisco, California 94109



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INSTITUTE OF GOVERNMENTAL
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FEB 13 1979

BOARD OF DIRECTORS

UNIVERSITY OF CALIFORNIA

SPECIAL BOARD MEETING

Wednesday
January 24, 1979
9:30 a.m.

939 Ellis Street
San Francisco,
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Larry Asera, Edward J. Bacciocco, Jr.,
Barbara Boxer, Sam Chapman, Dominic L.
Cortese, Ralph P. Doetsch, Sr., Eric H.
Hasseltine, M. Patricia Hilligoss, Pamela
Ketcham, Quentin Kopp, L.N. "Judge"
Landis, Daniel A. McCorquodale, Frank
H. Ogawa, Valerie A. Raymond, Verne L.
Roberts, Carol Ruth Silver.

BOARD MEMBERS ABSENT:

Fred F. Cooper, Robert A. Grimm.

ADVISORY COUNCIL
MEMBERS PRESENT:

Jack C. Oppenheimer.

STAFF MEMBERS PRESENT:

Milton Feldstein, Elvan P. Babylon,
Thomas F. Bell, Hulan F. Brinkley,
Warren R. Crouse, Richard W. Grieves,
Dario Levaggi, Edward W. McHugh, John
Phillips, John F. Powell, Mabel Harder.

Chairperson McCorquodale called the meeting to order at 9:45 a.m.

APPOINTMENT OF NOMINATING COMMITTEE
Daniel A. McCorquodale, Chairperson

Chairperson McCorquodale appointed Directors Asera, Chapman, Grimm, Ketcham and himself to the Nominating Committee, stating they would meet on February 7, 1979 at 9:00 a.m. to consider the Vice chairperson vacancy.

CONTINUATION OF PUBLIC HEARING TO CONSIDER CONTROL OF
EMISSIONS FROM CAN/COIL COATING OPERATIONS (REG 14)

The APCO's report entitled, Continued Hearing Regulation 14 Metal Container & Closure Coating and Coil Coating, dated January 18, 1979, was presented.

Ms. Silver arrived at 9:55 a.m.

Mr. Feldstein reviewed the necessity for having RACT in each regulation as required under the Clean Air Act.

Dr. Bacciocco arrived at 9:46 a.m.

Mr. Landis arrived at 10:00 a.m.

On inquiry from Mr. Hasseltine, Mr. Feldstein stated the District is required under law to work towards the present 0.08 ppm oxidant standard, even though there is a possibility of the Federal standard being changed to 0.12 ppm.

Mr. Phillips reviewed Regulation 14, stating 29 companies would be affected by it.

Mrs. Boxer arrived at 10:05 a.m.

Chairperson McCorquodale opened the Public Hearing at 10:10 a.m.

The following made presentations:

Dan Phelan
Interested Citizen

In comments, he advised he had talked with 10-15 small companies and advised them that if they had specific problems they should appear before the Board. He quoted from his letter to Mr. Feldstein requesting specific language be added to the Regulation to provide an exemption, as follows:

\$111. Small users to be defined as those emitting less 6.5 kilograms, or 14.3#-D.

G.O. Payne
Chairman
Can Manufacturers Institute
Hydrocarbons Task Force

presented a written statement dated January 22, 1979, requesting some ammendments.

In discussion, Mr. Feldstein stated the Staff would agree to adding a definition of "daily weighted average". Mr. Phillips reviewed the Staff's proposal for such definition, and Mr. Payne agreed with it.

In further discussion, Mr. Feldstein stated the proposal being made by Messrs. Phelan and Payne was for an exclusion for small operators; that the Staff would have no objections to a reasonable exclusion number but that until data on which to base it is available, the Board should delay putting in a lower limit.

Mr. Payne outlined his reasons for requesting the amendment.

Mr. Landis stated he felt that the small operator needed to be excluded even though no data was available. Mr. Feldstein, in reviewing the proposed amendments submitted by Mr. Payne, pointed out that all the companies in the District now meet 300 grams, and that changing it to 340 would relax the regulation.

Chairperson McCorquodale closed the Public Hearing at 10:30 a.m.

Mr. Chapman moved the adoption of Resolution No. 1109, In the Matter of Adopting Regulation 14, Relating to Can and Coil Coating Operations, as proposed, with the amendment of defining "daily weighted average" and adding §1222 to Regulation 3.

There was further discussion about excluding small operators, Dr. Bacciocco suggesting that the motion include language to exclude small companies on a tentative basis. Mr. Feldstein pointed out that the first emission limits did not go into effect until January 1982; that increments of progress would have to be filed in 1980; that the Staff would have information on small operations in the next 5-6 months and that if said information warranted an exclusion of such companies, the Staff would advise the Board.

Mr. Chapman amended his motion to direct Staff to agendize the matter in six months after they have had time to accumulate the data on small operators and can recommend a reasonable limit to exempt a small operator.

Mrs. Boxer moved a policy statement which was seconded by Mr. Landis, that it was the intention of the Board of Directors that in adopting Regulation 14, it will at some point in the future amend the Regulation so that small operators are not unduly burdened; that the matter should be agendized in six months after Staff has had an opportunity to accumulate the data on small operators. The motion carried.

Mr. Chapman's motion before his amendment then was seconded by Mrs. Boxer and carried on roll call:

AYES: BACCIOCCO, BOXER, CHAPMAN, CORTESE, DOETSCH,
HASSELTINE, HILLIGOSS, KETCHAM, MCCORQUODALE,
RAYMOND, ROBERTS, SILVER.

NOES: LANDIS.

ABSTAINING: OGAWA.

ABSENT: ASERA, COOPER, GRIMM, KOPP.

Chairperson McCorquodale welcomed Director Ogawa, Oakland City Councilman.

CONTINUATION OF PUBLIC HEARING TO CONSIDER CONTROL OF ORGANIC COMPOUND EMISSIONS FROM TERMINALS AND BULK PLANTS (REG 13)

The APCO's report entitled, Continued Hearing, Regulation 13, Control of Organic Compound Emissions From Terminals and Bulk Plants, dated January 18, 1979, was presented, as well as letters from Richard E. McCart, Vallejo; Ted Bazzani, Napa; Vietor Raahauge, Mare Island; and Assemblyman William J. Filante.

Mr. Feldstein presented an Errata Page dated January 23, 1979.

Mr. Asera arrived at 10:50 a.m.

Mr. Phillips reviewed the regulation and the Errata Page.

Chairperson McCorquodale opened the Public Hearing at 10:56 a.m.

The following made presentations:

Jim McCaffrey
Petroleum Distributor
Sonoma County

stated that he had met with Staff; that converting each plant would cost \$75,000; that he proposed to the Staff that 20,000 gal./D Distributors should be allowed to distribute to 4,000 gal./D exempt accounts rather than 2,000 gal./D; that he could find no reasonable fault with the Staff's proposal.

Mr. Hasseltine left at 11:50 a.m.

J. A. Calleri
Oakland/San Leandro Distributor

outlined his operations and inquired if he were included in the Regulation. There was discussion between he and Mr. Phillips with respect to the proposed Regulation requirements, Mr. Calleri stating that he could not meet the proposed Regulation; that it would cost him about \$150-175,000 which he could not afford; that the Regulation would put him out of business; that he would need five years to liquidate.

There was discussion on Mr. Calleri's concerns, Chairperson McCorquodale suggesting he meet with Mr. Phillips after the meeting.

Director Asera requested Mr. Feldstein to respond to the letters received from Messrs. McCart, Bazzani, and Hague.

A. W. Mortensen
Petaluma

requested more time to come into compliance because of the cost.

In response, Mr. Feldstein pointed out that sources could seek a variance through the Hearing Board.

Mr. Kopp arrived at 11:20 a.m.

Chairperson McCorquodale closed the Public Hearing at 11:25 a.m.

In further discussion, Mr. McCaffrey stated that his group could abide by the Regulation but that their cost for so doing could not be passed on to the consumer because Federal law precludes this.

Dr. Bacciocco expressed concern about the Regulations becoming more stringent and affecting small businesses to the extent of putting them out of business. Mr. Feldstein in responding pointed out that a major portion of the large emitters have already been regulated and that future controls will be directed towards small sources; that he felt the Regulation was a reasonable approach to RACT required by EPA; that it was necessary to impose the Regulation on the small emitters in order to achieve the 225 T/D reduction necessary to meet the Air Quality Standards, of which Regulation 13 would contribute one-half T/D.

Bob Barbeiri
Sonoma County

expressed concern over the cost for the equipment necessary to meet the regulation, suggesting that it be based on 300 day/year and 20,000 gal./D limit.

After further discussion, Mrs. Raymond moved that the District send a letter to its Congressional Delegation bringing to their attention that jobbers and distributors cannot pass along their costs for installing the equipment such as the oil companies can, after the Staff determines that this is a fact; seconded by Mr. Landis.

After further discussion, Mr. Kopp moved to continue the motion for two weeks for Staff's report on the law; seconded by Mrs. Hilligoss; carried.

Mrs. Ketcham left at 11:45 a.m.

There was further discussion on the Regulation affecting the smaller operators, Mr. McCaffrey suggesting excluding 1,000/2,000 gal. tank service station operators. Mr. Feldstein pointed out that changing the exemption for service stations should not be part of Regulation 13, but that the current Regulation 2 could be amended to so reflect.

Mr. Chapman moved the adoption of Resolution No. 1110, In the Matter of Adopting Regulation 13 Relating to Emissions from Terminals and Bulk Plants, with the Space proposed changes as set forth in the Errata page dated January 23, 1979; seconded by Mr. Roberts.

In discussion, Mr. Landis expressed concern about the Regulation affecting small businesses.

The motion carried on roll call:

AYES: ASERA, BACCIOCCO, BOXER, CHAPMAN,
CORTESE, DOETSCH, KOPP, MCCORQUODALE,
RAYMOND, ROBERTS, SILVER.

NOES: HILLIGOSS, LANDIS.

ABSTAINING: OGAWA.

ABSENT: COOPER, GRIMM, HASSELTINE, KETCHAM.

Mr. Chapman moved that the Public Hearing be set for April 4, 1979 to consider the exemptions in Regulation 2 for small service stations; seconded by Mrs. Hilligoss; carried.

Dr. Bacciocco and Mr. Ogawa left at 12:00 noon.

CONTINUATION OF PUBLIC HEARING TO CONSIDER CONTROL OF
EMISSIONS FROM AUTO PAINTING OPERATIONS (REG. 17)

The APCO's report entitled, Proposed Regulation 17 - Control of VOC Emissions From Motor Vehicle Assembly Plants, dated January 17, 1979, was presented.

Mr. Feldstein presented an Errata Page, dated January 15, 1979.

Mr. McCorquodale opened the Public Hearing at 12:01. There were no presentations.

Mr. Kopp moved that the Public Hearing be closed 12:02; seconded by Mrs. Boxer; carried.

Mr. Kopp moved the adoption of Resolution No. 1111, In the Matter of Adopting Regulation 17 Relating to Emissions from Motor Vehicle Assembly Plants; seconded by Mrs. Boxer; carried on roll call:

AYES: ASERA, BOXER, CHAPMAN, CORTESE, DOETSCH,
KOPP, LANDIS, MCCORQUODALE, RAYMOND,
ROBERTS, SILVER.

NOES: NONE

ABSENT: BACCIOCCO, COOPER, GRIMM, HASSELTINE,
HILLIGOSS, KETCHAM, OGAWA.

Chairperson McCorquodale reminded each Director that there would be an Orientation Session on February 7, 1979.

TIME AND PLACE OF NEXT MEETING

9:30 a.m. Wednesday, February 7, 1979, 939 Ellis, San Francisco, California.

The meeting adjourned at 12:10 p.m. .

Respectfully submitted,

Mabel Harder
Clerk of the District

MH:el

A1581

FEB 7, 1979

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BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109
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MAR 8 1979

UNIVERSITY OF CALIFORNIA

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
February 7, 1979
9:30 A.M.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Larry Asera, Edward J.
Bacciocco, Jr., Barbara Boxer,
Sam Chapman, Dominic A.
Cortese, Ralph P. Doetsch, Sr.,
Thomas J. Ferrito, Eric R.
Hasseltine, M. Patricia
Hilligoss, Pamela Ketcham,
Quentin Kopp, L. N. "Judge"
Landis, Daniel A. McCorquodale,
Frank H. Ogawa, Valerie A.
Raymond, Verne L. Roberts,
Carol Ruth Silver.

BOARD MEMBER ABSENT:

Fred F. Cooper.

ADVISORY COUNCIL MEMBERS
PRESENT:

Michael Dyett, Jack C.
Oppenheimer.

STAFF MEMBERS PRESENT:

Milton Feldstein, Elvan P.
Babylon, Thomas F. Bell,
Hulan F. Brinkley, Warren R.
Crouse, Richard W. Grieves,
Terry Lee, Michael Macomber,
Edward W. McHugh, John F.
Powell, Mabel Harder.

- - -

Chairperson McCorquodale called the meeting to order at 9:45 A.M. He welcomed Councilperson Thomas J. Ferrito, Los Gatos, as a new Director.

PUBLIC PRESENTATION

There were none.

APPROVAL OF MINUTES OF JANUARY 17 & 24, 1979

COMMUNICATIONS

Barbara Boxer, Secretary

The following communications were received:

Robert A. Grimm

copy of letter to Inter-City Council requesting that he not be re-appointed to the BAAQMD Board.

Richard McCart
Vallejo

opposing adoption of Regulation 13 with respect to small bulk terminals.

Marjorie Antenore
San Francisco

concerned about the air pollution in the Richmand/San Pablo area and specifically the emissions from petrochemical plants.

Lawrence A. Kiessig
Internal Auditor
Secretary of State

requesting an updating of the Board of Directors Statement of Facts Roster of Public Agencies.

Rod Diridon, Supervisor
Santa Clara County

recommending Frank Biehl be appointed to the Advisory Council in the Transportation category.

Ted Bazzani
Lincoln Automotive Center
Napa

opposing Regulation 13 requiring vapor recovery on small bulk plants.

Meredith Sun Newspapers
Cupertino

submitting rates for legal advertising and public notices.

Roy E. Bennett
Napa

opposing Regulation 13 requiring vapor recovery on small bulk plants.

F.P. Partee
Principal Staff Engineer
Compliance and Liaison Department
Stationary Source Environment Control
Ford Motor Company

opposed to any permit fees and commenting on specific sections in the proposed regulation.

Thomas C. Austin
Executive Officer
Air Resources Board

approving the District's final subvention application in amount of \$1,520,295.

Thomas C. Austin
Executive Officer
Air Resources Board

copy of letter to Mr. Rod Diridon, President, Association of Bay Area Governments, commenting on the 1979 Bay Area Air Quality Plan, stating that deficiencies still exist in the Plan which make EPA approval unlikely, and suggested a meeting with members of ABAG and BAAQMD.

Herold Mahoney
Royal Petroleum Co.
Petaluma

expressing appreciation for the constructive attitude towards small businessmen during the public hearing on January 24 with respect to Regulation 13 on bulk plants.

Victor LoBue
Caldo Oil Company, Inc.
San Jose

expressing concern with respect to the proposed permit fees as they affect the small business man, and that he was not notified of the proposed fee schedule.

Wilbur Green, President
Sacramento Valley Basinwide Air Pollution Control Council,

enclosing copy of resolution adopted January 26, 1979 requesting Governor Brown to appoint a person to the ARB with interest in agriculture, preferably a grass roots farmer.

H. T. Gibson
Technical & Administrative Manager
Exxon Corporation

opposing the proposed Permit Fee Schedule as being unreasonable and unsupported, and requested the hearing be continued for at least one month.

DIVISION MONTHLY REPORTS

The following reports were presented:

Director of Enforcement Monthly Activity Report
for January 1979, dated January 25, 1979;
Director of Technical Services Monthly Activity Report,
December 20, 1978 through January 23, 1979;
Director of Engineering Services Monthly Activity Report,
December 21, 1978 to January 20, 1979;
Director of Public Information Monthly Activity Report,
December 26, 1978-January 26, 1979;
Status of Legal Matters - December 22, 1978 to January
22, 1979;
Controllers Appropriation Statement and Cash Position,
January 31, 1979.

Mrs. Boxer moved the approval of the above Consent Calendar items;
seconded by Mr. Roberts; carried.

REPORT OF PERSONNEL COMMITTEE Edward J. Bacciocco, Vice Chairperson

Dr. Bacciocco's report entitled, Report and Recommendations of the Personnel Committee, dated January 31, 1979, was presented.

Mr. Chapman moved the adoption of Resolution No. 1112, In the Matter of Reappointing Ralph Trower as a Member of the Hearing Board; seconded by Mr. Landis; carried on roll call:

AYES: ASERA, BACCIOCCO, BOXER, CHAPMAN, CORTESE, DOETSCH,
FERRITO, HILLIGOSS, KETCHAM, LANDIS, MCCORQUODALE,
RAYMOND, ROBERTS.

NOS: NONE.

ABSENT: COOPER, HASSELTINE, KOPP, OGAWA, SILVER.

Mr. Doetsch moved that the Board approve the Personnel Committee's recommendation with respect to appointing the following to the

Advisory Council:

Shirley J. Campbell - Reappointed in the Park & Recreation Commission category

Kathryn Smick M. D. - in the Public Health Agency category

Claire C. Pilcher - in the Mass Public Transportation category

James F. White - in the Transportation category

seconded by Mr. Asera; carried.

Mrs. Raymond arrived at 9:46 A.M.

REPORT OF NOMINATING COMMITTEE
Daniel A. McCorquodale, Chairperson

Mr. McCorquodale reported the Committee met prior to the Board meeting and recommends that Director Boxer be named Vice Chairperson and Director Bacciocco Secretary for the balance of the 1978-79 Fiscal Year.

Mr. Chapman so moved; seconded by Mr. Asera; carried.

Mr. Ogawa arrived at 9:55 A.M.

Mr. Hasseltine arrived at 9:56 A.M.

REPORT OF THE AD HOC COMMITTEE ON BUILDING MAINTENANCE

Barbara Boxer, Chairperson

Mrs. Boxer reported that the Committee recommends that recarpeting of the District offices be done and that Ms. Harder's office be painted at an approximate total cost of \$23,000; that \$40,000 had been budgeted for painting and recarpeting. She so moved; seconded by Mr. Roberts.

There was discussion on painting the entire District offices at the time the recarpeting is done, after which Mrs. Boxer amended her motion that the Board approve an expenditure of up to \$40,000 for painting and recarpeting; that the painting contract be a Consent Calendar item; motion carried.

HEARING BOARD QUARTERLY REPORT
Mr. Trower, Vice Chairperson

The Hearing Board Quarterly Report October 1, 1978 - December 31, 1978, dated January 1, 1979, was presented.

Ms. Harder advised that Mr. Trower could not be present because of an automobile accident. Mrs. Boxer moved that the Board

accept the written report; seconded by Mr. Chapman; carried.

PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE PERMIT
FEE SCHEDULE - REGULATION 13

The APCO's report entitled, Amendments to Permit Fee Schedule, dated February 1, 1979 was presented.

The following communications with respect thereto were received:

Kaiser Sand & Gravel Company, dated January 10, 1979
Ford Motor Company, dated January 19, 1979
Raisch Products, dated January 10, 1979
Caldo Oil Company Inc., dated February 1, 1979
Exxon Corporation, dated February 6, 1979

Mr. Feldstein outlined the background on the permit fees and presented a chart entitled, Examples of Permit Fees - For Initial Fee for Construction and Operation, undated, giving example of the proposed fee schedule effect on some large and small industries.

In discussion, he stated that the institution of the proposed schedule would bring the District \$1½ MM; that if the fee schedule is instituted, refunds will be made to those sources which have overpaid thereunder; that the matter was not referred back to the Advisory Council but rather the Staff was requested to revise the fees to make them more equitable.

Chairperson McCorquodale opened the public hearing at 10:20 A.M.

9 Affidavits of Publication of Notice of Public Hearing were presented to the Clerk.

The following made presentations:

H. Frost Prioleau, President
California Cast Metals Association

presented a written statement requesting that those sources under 1MM btu be deleted as well as those under 10,000 gals.

Mr. Kopp arrived at 10:30 A.M.

Chairperson McCorquodale requested Mr. Prioleau to discuss with Staff his request for 5 amendments to the Exemptions section since these were not part of the public hearing today, after which it could be determined if a public hearing thereon should be held.

Tom Merle
Associate Director
Bay Area Council

addressed procedural issues: (1) fee structure used to

arrive at the revenue to meet permit costs; (2) proceeds for arriving at identification of the sources. He presented a letter from Assemblyperson Jerry Lewis to Mr. William F. Struble, California Chamber of Commerce, dated November 29, 1978 with respect to his legislative intent, which he reviewed: that the proposal is more of an emissions fee; that there should be an independent opinion of the reasonableness of the cost; recommended that the Board ascertain that the schedule used by Staff is the intent of the author of the legislation and that there be some oversight of the cost; that a cost accounting system be instituted.

There was discussion on the necessity for auditing the system. Chairperson McCorquodale suggesting the Staff report to the Board at a future date validating the actual cost for implementing the permit section.

Jim Dehnert, Chairman
Air Resources Committee
BALIA

outlined the questionnaire they sent to various companies, stating 17 responded indicating they would be paying \$1,313,000 as renewal fees under the new schedule; that the high end of the scale should be reviewed as well as the low end.

In discussion, Mr. Feldstein pointed out that the 37 companies should be changed to 26 because of PG&E's various locations; that said companies were probably the largest in the District.

Larry Appleton
Kaiser Sand & Gravel Company

objected to the magnitude of the increase, stating the District fees were higher than the South Coast AQMD and he gave examples; requested justification on the cost.

Charles Kinney
Building Industry of Northern California

addressed Table I on Cost for Permit Issuance. He quoted from H&S Code §§42311, 42300, 42301, stating he did not feel the proposed cost came under the H&S Code; that a cost accounting system should be instituted.

The Board recessed at 11:30 A.M. and reconvened at 11:35 A.M.

Jeffrey P. Wagner
PG&E Siting Department

presented a written statement, requesting cost validation.

Alfredo Capobianco
California Environmental Technology

requested a two week - 30 day continuance of the public hearing because many of his clients did not receive the proposal and had not had time to review it; that the increased fees to these companies would be in the 300-800% range.

Mr. Feldstein in response stated the original permit fee proposal was mailed to about 400 companies; that the Staff also met with BALIA a week ago with respect to the changes.

Ms. Silver arrived at 11:45 A.M.

T. R. Weller, Sr.
Wine Institute

presented a written statement requesting an exemption for wineries.

Mr. Chapman suggested the Wine Institute confer with the Staff with respect to their request for an exemption; that the Staff analyze the wine emissions and advise the Board if wineries should be exempt, and Chairperson McCorquodale so ordered requesting that the matter be agendaized for discussion on March 21, 1979.

Mrs. Boxer moved that the public hearing be closed at 12:00; seconded by Mr. Ogawa; carried.

Mrs. Boxer moved the adoption of Resolution No. 1113, In the Matter of Amending Regulation 2 Relating to Permits and Permit Fees, with the understanding that cost data will be developed and brought to the Board to justify the schedule; that exemptions will be reviewed; and that at any time the schedule can be amended; seconded by Mr. Kopp.

In discussion, Mr. Kopp requested an addition to the motion that the Staff report as soon as possible to the Board with respect to cost information now available and that during 1979 the Staff record the permits issued and cost in detail and report to the Board recommendations with respect to revisions, if any, which addition was acceptable to Mrs. Boxer.

The motion carried on roll call:

AYES: ASERA, BACCIOCCO, BOXER, CHAPMAN, CORTESE,
DOETSCH, FERRITO, HASSELTINE, HILLIGOSS,
KETCHAM, KOPP, LANDIS, MCCORQUODALE, OGAWA,
RAYMOND, ROBERTS, SILVER.

NOS: NONE.

ABSENT: COOPER.

Directors Bacciocco and Hasseltine left at 12:10 P.M.

PROPOSED FEE SCHEDULE FOR AGENDAS, MINUTES,
HEARING BOARD CALENDARS

The APCO reports entitled, Charges for District Publications, dated February 7, 1979 and February 2, 1979 were presented.

Mr. Doetsch moved the adoption of Resolution No. 1114, In the Matter of Establishing Fees for District Services, Materials and Equipment Use; seconded by Mr. Ogawa; carried on roll call:

AYES: ASERA, BOXER, CHAPMAN, CORTESE, DOETSCH, FERRITO, HILLIGOSS, KETCHAM, KOPP, LANDIS, MCCORQUODALE, OGAWA, RAYMOND, ROBERTS, SILVER.

NOS: NONE.

ABSENT: BACCIOCCO, COOPER, HASSELTINE.

Mr. Kopp left at 12:15 P.M.

REPORT OF AIR POLLUTION CONTROL OFFICER
Milton Feldstein

Report on Transfer of Funds

The APCO's report, Transfer of Funds, dated January 31, 1979, was presented.

Mr. Landis moved the approval of the transfers; seconded by Mr. Ogawa; carried.

Legislative Report

The APCO's report, Legislation Introduced in 1979-80 Legislative Session, dated January 31, 1979, was presented.

Mr. Doetsch moved the approval of the report; seconded by Mrs. Boxer; carried.

Report on Change in Ozone Standard

There was no report thereon.

- - -

Mr. Landis moved the adoption of Resolution No. 1115, Approval of Agreement for SO₂ Modeling Study; seconded by Mr. Doetsch; failed on the first roll call as follows:

AYES: ASERA, CORTESE, DOETSCH, HILLIGOSS, KETCHAM,
LANDIS, OGAWA, ROBERTS.

NOS: BOXER, CHAPMAN, MCCORQUODALE.

ABSTAINING: FERRITO, RAYMOND, SILVER.

ABSENT: BACCIOCCO, COOPER, HASSELTINE, KOPP.

Directors McCorquodale and Boxer then changed their vote to aye, and the motion carried. Mrs. Boxer requested that the record show that her vote did not indicate that she approved the project, but that she did not want to block the vote of the Board.

- - -

Mr. Feldstein requested approval for the Chairperson to make the statement to the National Commission on Air Quality, undated as presented. Mr. Chapman so moved; seconded by Mr. Doetsch; carried.

CHAIRPERSON'S REPORT
Daniel A. McCorquodale

Chairperson McCorquodale announced the following Committee appointments:

Eric Hasseltine and Frank Ogawa - Executive Committee

Edward J. Bacciocco - Chairperson of Personnel Committee
Larry Asera - Vice Chairperson - Personnel Committee
Pamela Ketcham, Valerie Raymond and Carol Ruth Silver -
Personnel Committee

Thomas J. Ferrito and Verne L. Roberts - Budget & Finance
Committee

- - -

Chairperson McCorquodale requested authorization to establish an Ad Hoc Committee on Legislation comprised of the Officers of the Board, the past Chairperson and one additional member, to have responsibility for legislative activities, which Committee would then report either to the Executive Committee or Board. Mr. Asera so moved; seconded by Mrs. Boxer; carried.

Chairperson McCorquodale stated that the Committee would be comprised of himself as Chairperson; Directors Asera, Bacciocco, Boxer, Chapman.

Mr. Cortese left at 12:20 P.M.

- - -

The following reports were presented:

Pending Referrals from Board of Directors, dated January 25, 1979.
Board Referrals to Advisory Council, dated January 18, 1979.

PUBLIC COMMENTS

There were none.

DISTRICT ORIENTATION PROGRAM

Introduction and Overview of Air Pollution Problems and Control

Mr. Feldstein made a presentation.

Mr. Doetsch left at 12:45 P.M.

Directors Boxer, Chapman, Landis and Roberts left at 12:55 P.M.

Legal Basis for Establishing District, and Organization and Functioning of the Board of Directors

Mr. Powell made a presentation.

Ms. Silver left at 1:05 P.M.

Mr. Ogawa left at 1:20 P.M.

Review of Permit Systems

Chairperson McCorquodale requested that this presentation be deferred until the next Orientation program is presented.

TIME AND PLACE OF NEXT MEETING

9:30 A.M. Wednesday February 21, 1979, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 1:30 P.M.

Respectfully submitted,

Mabel Harder
Clerk of the District

MH:js

11581
Feb. 26, 1979

3

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
February 21, 1979
9:30 A.M.

939 Ellis Street
San Francisco,
California

M I N U T E S

BOARD MEMBERS PRESENT:

Larry Asera, Edward J.
Bacciocco, Jr., Sam
Chapman, Dominic A.
Cortese, Ralph P. Doetsch,
Sr., Thomas J. Ferrito,
Eric R. Hasseltine, M.
Patricia Hilligoss, Pamela
Ketcham, Quentin Kopp,
L.N. "Judge" Landis, Daniel
A. McCorquodale, Frank H.
Ogawa, Valerie A. Raymond,
Verne L. Roberts, Carol
Ruth Silver.

BOARD MEMBERS ABSENT:

Barbara Boxer, Fred F.
Cooper.

ADVISORY COUNCIL MEMBERS
PRESENT:

Douglas A. Cook, Jack C.
Oppenheimer.

STAFF MEMBERS PRESENT:

Milton Feldstein, Elvan P.
Babylon, Thomas F. Bell,
Paul Brand, Hulan F.
Brinkley, Warren R. Crouse,
Richard W. Grieves, Dario
Levaggi, Edward W. McHugh,
John F. Powell, Mabel
Harder.

- - -

Chairperson McCorquodale called the meeting to order at 9:45 A.M.

PUBLIC PRESENTATION

There were none.

APPROVAL OF MINUTES OF FEBRUARY 7, 1979

COMMUNICATIONS
Barbara Boxer, Secretary

The following communications were received:

Affirmative Action Council

Minutes of January 9, 1979, meeting.

Stephen H. Cornet
Oakland

Summons and Complaint in connection with Borelli vs. BAAQMD

Richard H. Fahey
Diablo Petroleum, Inc.
Martinez

expressing appreciation for the Permit Fee Regulation adopted February 7, 1979.

Karen Majors
Redevelopment Planner
Redevelopment Agency of the City of San Pablo

enclosing a draft EIR in connection with the El Portal Community Redevelopment Project.

Ms. Harder requested a correction in the Minutes on page 4, paragraph 7, last line to read, "December 31, 1979".

Mr. Doetsch moved the approval of the above Consent Calendar items with the correction; seconded by Mr. Chapman; carried.

REPORT OF THE EXECUTIVE COMMITTEE
Daniel A. McCorquodale, Chairperson

Chairperson McCorquodale reported that the Committee met on February 14, and he called attention to the Report, Recommendation of Committee, dated February 16, 1979, recommending that the Board approve the reorganization presented by Mr. Feldstein.

Mr. Feldstein outlined the proposed changes as contained in a Resolution entitled, In the Matter of Reorganizing Certain District Activities and Reclassifying Certain Management positions.

Mr. Chapman moved the adoption of Resolution No. 1116, In the Matter of Reorganizing Certain District Activities and Re-classifying Certain Management Positions; seconded by Dr. Bacciocco; carried on roll call:

AYES: BACCIOCCO, CHAPMAN, DOETSCH, FERRITO, HILLIGOSS, KETCHAM, LANDIS, MCCORQUODALE, RAYMOND, ROBERTS.

NOES: NONE.

ABSENT: ASERA, BOXER, COOPER, CORTESE, HASSELTINE, KOPP, OGAWA, SILVER.

Chairperson McCorquodale called attention to his report entitled, Role of the Advisory Council, dated February 14, 1979. Mr. Chapman outlined the previous discussions on the Role of the Advisory Council, stating that the additional language clarified the Role and that the Advisory Council has accepted it.

After discussion, Mr. Doetsch moved that the Administrative Code with respect to §9.1 be amended on March 7, 1979, as recommended by the Committee; seconded by Dr. Bacciocco; carried.

Mr. Landis moved the adoption of Resolution No. 1117, In the Matter of the Role of the Advisory Council; seconded by Dr. Bacciocco; carried on roll call:

AYES: BACCIOCCO, CHAPMAN, DOETSCH, FERRITO, HILLIGOSS, KETCHAM, LANDIS, MCCORQUODALE, RAYMOND, ROBERTS.

NOES: NONE.

ABSENT: ASERA, BOXER, COOPER, CORTESE, HASSELTINE, KOPP, OGAWA, SILVER.

Chairperson McCorquodale called attention to his report, Pending Referrals to Staff, dated February 14, 1979, and to the Board Referrals to Advisory Council, dated February 14, 1979.

REPORT OF THE PERSONNEL COMMITTEE
Edward J. Bacciocco, Jr., Chairperson

Dr. Bacciocco reported that the Committee met on February 14 and discussed the Reorganization as requested by Mr. Feldstein the concept of equalizing fringe benefits for Management employees. He called attention to his report, Recommendation of Committee, dated February 14, 1979, recommending the job description for Operations Research Analyst be approved and he so moved; seconded by Mr. Landis; carried.

PUBLIC HEARING TO CONSIDER EXTENSION OF EXEMPTION
FOR A NON-VAPOR RECOVERY NOZZLE AT SERVICE STATIONS

Mr. Feldstein briefly outlined the history of the regulation on the vapor recovery nozzles, and reviewed his report entitled, Vapor Recovery Nozzles, dated February 15, 1979, outlining the Staff recommendation. He outlined the cost-effectiveness of the replacement program, and the cost for the nozzle. He pointed out the Emco-Wheaton nozzle has been certified and that the OPW nozzle will probably receive certification in the near future.

Dr. Hasseltine arrived at 10:05 A.M.

Some Directors expressed concern that there was only one certified nozzle available.

Chairperson McCorquodale opened the public hearing at 10:05 A.M.

Mr. Powell furnished the Clerk nine Affidavits of Publication of Notice of Public Hearing.

The following made presentations:

Jack F. Fessler
District Manager
OPW Division of Dover Corporation

requested the extension of time be changed from March 31 to April 30, 1979 for the purpose of allowing their customers a choice of equipment. He outlined the testing of their nozzle.

Ms. Harder advised that Mr. Jim Campbell, representing the Service Station Dealers Association, had telephoned to advise that he would not be able to be present until 11:00 A.M. and that he wanted the Board to know that he was opposed to the new nozzle.

Mr. Asera arrived at 10:15 A.M.

Mr. Cortese arrived at 10:16 A.M.

Wesley Hazlett
Developer of Rudolph Nozzle

opposed the Staff proposal, stating that if the Board adopted it, his nozzle would have to be replaced and that there were about 8,000 in operation. He outlined the workings of his nozzle and the testing program, criticizing the certification system. He suggested the District make an evaluation of various systems.

Mr. Ogawa arrived at 10:25 A.M.

In further discussion, Mr. Feldstein stated the Staff would not be opposed to extending the date to April 30, 1979.

Mr. Landis moved the public hearing be closed at 10:26 A.M. and the adoption of Resolution No. 1118, In the Matter of Amending Regulation 2 Relating to Vapor Recovery Systems, with the amended date of April 30, 1979; seconded by Mr. Chapman; carried on roll call:

AYES: ASERA, BACCIOCCO, CHAPMAN, CORTESE, DOETSCH, FERRITO, HASSELTINE, HILLIGOSS, KETCHAM, LANDIS, MCCORQUODALE, OGAWA, RAYMOND, ROBERTS.

NOES: NONE.

ABSENT: BOXER, COOPER, KOPP, SILVER.

Mr. Doetsch left at 10:26 A.M.

CONTINUATION OF PUBLIC HEARING TO CONSIDER ELIMINATION OF REQUIREMENT FOR EPA CONCURRENCE IN NEW SOURCE REVIEW REGULATION

The APCO's report entitled, Elimination of Need for EPA Concurrence in New Source Review Regulation, dated February 15, 1979, was presented.

Mr. Powell outlined the background on EPA's concurrence requirement.

Chairperson McCorquodale opened the public hearing at 10:30 A.M.

There were no presentations.

Chairperson McCorquodale closed the public hearing at 10:31 A.M.

Dr. Hasseltine moved the adoption of Resolution No. 1119, In the Matter of Amending Regulation 2 Relating to Permits; seconded by Mr. Chapman; carried on roll call:

AYES: ASERA, BACCIOCCO, CHAPMAN, CORTESE, FERRITO, HASSELTINE, HILLIGOSS, KETCHAM, LANDIS, MCCORQUODALE, OGAWA, RAYMOND, ROBERTS.

NOES: NONE.

ABSENT: BOXER, COOPER, DOETSCH, KOPP, SILVER.

Mr. Kopp arrived at 10:35 A.M.

REPORT OF AIR POLLUTION CONTROL OFFICER
Milton Feldstein

Report on Federal Law Prohibiting Bulk Plants from Basing on Costs

Mr. McHugh reviewed his investigation into the matter, reading a letter

addressed to the Department of Energy from Assemblyperson Burton's office, stating that the response thereto was that the Department was not aware at the time it passed the law that jobbers had to have vapor recovery equipment and that it would now amend the law.

After discussion, Mr. McHugh was requested to draft a resolution urging the law be amended with respect to jobbers for the Board's adoption March 7, 1979.

Report on Change in Ozone Standard

Mr. Feldstein reviewed the new EPA Ozone standard, stating that it had been changed from 0.08 ppm to greater than 0.12 ppm, based on current medical evidence; that the period of time for violating the standard has been changed from once a year to more than three over a three-year period; that the significance of the change was with respect to the AQMP; that the program had been relaxed so that instead of the necessary 310 tons reduction by 1985, only 226 tons reduction was necessary to meet 0.12 ppm by 1985; that a meeting with ARB has been scheduled to discuss the implications of this change, and that he would report further to the Board.

Ms. Silver arrived at 10:45 A.M.

During discussions, Mr. Asera suggested that when a proposed regulation is before the Board for adoption, its impact on the District's goals be contained in the Staff report, and Mr. Feldstein stated this would be done.

Mr. McCorquodale left at 10:52 A.M.

Dr. Hasseltine called attention to the uncertainties in all the numbers, pointing out these need to be taken into consideration when the goals are discussed. There was discussion thereon, Mr. Feldstein pointing out that directionally the program is for further reduction.

Legislative Report

Mr. Feldstein reviewed his report entitled, Legislative Report, dated February 14, 1979, recommending that the Board oppose AB-300 (Mountjoy), and that it support AB-422 (Levine). Mr. Chapman moved that the Board accept the Staff's recommendations; seconded by Mr. Asera; carried.

Approval of Transfer of Funds

Mr. Feldstein referred to his memorandum entitled, Transfer of Funds, dated February 15, 1979.

Mr. Landis moved the adoption of Resolution No. 1120, In the Matter of Authorizing Transfer of Funds to Provide for Insurance

Premium Payments; seconded by Mr. Ogawa; carried on roll call:

AYES: ASERA, BACCIOCCO, CHAPMAN, CORTESE, FERRITO,
HASSELTINE, HILLIGOSS, KETCHAM, KOPP, LANDIS,
OGAWA, RAYMOND, SILVER.

NOES: NONE.

ABSENT: BOXER, COOPER, DOETSCH, MCCORQUODALE, ROBERTS.

Mr. Ogawa requested that the Staff provide the Board with premium costs for the District's insurance, and claims.

- - -

Mr. Feldstein reported that he had refunded to Atlas Foundry & Mfg. Co. a \$100. filing fee because they withdrew their application for Variance, and \$50. to PG&E because the PETU had been cancelled.

CHAIRPERSON'S REPORT
Daniel A. McCorquodale

There was none.

PUBLIC COMMENTS

There were none.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, March 7, 1979, 939 Ellis Street, San Francisco, California.

Mr. Kopp move the meeting adjourn at 11:05 A.M.; seconded by Mr. Ogawa; carried.

Respectfully submitted,

Mabel Harder
Clerk of the District

MH:el

BAY AREA
AIR QUALITY MANAGEMENT DISTRICT

939 Ellis Street
San Francisco, California 94109

INSTITUTE OF GOVT STUDIES

M

LIBRARIAN

100 MOSES HALL

UNIVERSITY OF CA

BERKELEY CA

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A/381
MAR 7, 1979

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BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
March 7, 1979
9:30 A.M.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Edward J. Bacciocco, Jr.,
Barbara Boxer, Sam Chapman,
Fred F. Cooper, Thomas J.
Ferrito, Eric R. Hasseltine,
Pamela Ketcham, Quentin
Kopp, L.N. "Judge" Landis,
Daniel A. McCorquodale,
Frank H. Ogawa, Valerie
A. Raymond, Verne L. Roberts,
Carol Ruth Silver.

BOARD MEMBERS ABSENT:

Larry Asera, Dominic L.
Cortese, Ralph P. Doetsch,
Sr., M. Patricia Hilligoss,

ADVISORY COUNCIL MEMBERS
PRESENT:

Marshall A. Kent, Jack C.
Oppenheimer.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F.
Bell, Hulan F. Brinkley,
Warren R. Crouse, Daniel F.
Goalwin, Richard W. Grieves,
Dario Levaggi, Edward W.
McHugh, John F. Phillips,
Lewis H. Robinson, John F.
Powell, Mabel Harder.

UNIVERSITY OF CALIFORNIA

Chairperson McCorquodale called the meeting to order at 9:45 A.M. A quorum was not present.

PUBLIC PRESENTATION

Daniel A. Borst, President
BAAQMD Employees Association, Local 2821

requested that the expenditure of \$40,000.00 for carpeting and painting be delayed until the financial condition of the District is better ascertained because salaries and benefits were more important

Mrs. Boxer arrived at 9:46 A.M. and a quorum was now present.

APPROVAL OF MINUTES OF FEBRUARY 21, 1979

COMMUNICATIONS
Barbara Boxer, Secretary

There were no communications.

DIVISION MONTHLY REPORTS

The following reports were presented:

Director of Enforcement Monthly Activity Report for February 1979, dated February 23, 1979; Director of Technical Services Monthly Activity Report, January 24 through February 21, 1979, dated February 23 1979; Director of Engineering Services Monthly Activity Report, January 21 1979 to February 20 1979, dated February 22, 1979; Director of Public Information Monthly Activity Report - January 27 1979 - February 23, 1979, dated February 26, 1979; Status of Legal Matters - January 23, 1979 to February 23, 1979; Assistant Controller's Appropriation Statement & Cash Position, January 31, 1979.

APPROVAL OF RESOLUTION TO FEDERAL DEPARTMENT
OF ENERGY URGING A LAW CHANGE TO ALLOW
BULK PLANTS TO PASS ON CAPITAL COSTS

The resolution entitled, In the Matter of Urging the United States Department of Energy to Amend its Regulations to Permit Pass Through of Costs by Small Bulk Terminal Operators for Vapor Recovery Equipment, was presented.

AMENDMENT OF SECTION 9.1 OF THE ADMINISTRATIVE CODE
RELATING TO THE ROLE OF THE ADVISORY COUNCIL

The resolution entitled, In the Matter of Amending the Administrative Code, was presented.

REJECTION OF A CLAIM BY PAT H.V. CLARKE

The APCO's report entitled, The Claim of Pat H.V. Clarke, dated March 1, 1979, was presented.

AUTHORIZATION FOR OUT-OF-STATE TRAVEL

The APCO's report entitled, Authorization for Out-of-State Travel - No Cost to the District, dated March 1, 1979, was presented.

AUTHORIZATION FOR CHAIRPERSON TO SIGN PURCHASE ORDERS

- a) Painting of Building
 - b) Carpeting of Building
 - c) Repair of Laboratory Hood
-

The APCO's report entitled, Authorization for Chairperson to Sign Purchase Orders, dated March 1, 1979, was presented.

Mrs. Boxer moved the approval of the above Consent Calendar Items; seconded by Mr. Chapman; failed on roll call:

AYES: BACCIOCCO, BOXER, CHAPMAN, KETCHAM, LANDIS,
McCORMODALE, OGAWA, RAYMOND.

NOES: FERRITO, ROBERTS.

ABSENT: ASERA, COOPER, CORTESE, DOETSCH, HASSELTINE,
HILLIGOSS, KOPP, SILVER.

There was discussion on deleting Consent Calendar Item 10 from the motion, being the Purchase Orders; and that action thereon be deferred until more Directors were present, after which Mrs. Boxer moved the approval of Consent Calendar Items 3 through 9, including Resolution No. 1121, In the Matter of Urging the United States Department of Energy to Amend Its Regulation to Permit Pass Through of Costs by Small Bulk Terminal Operators for Vapor Recovery Equipment; and Resolution No. 1122, In the Matter of Amending the Administrative Code; seconded by Mr. Chapman; carried on roll call:

AYES: BACCIOCCO, BOXER, CHAPMAN, FERRITO, KETCHAM, LANDIS, MCCORQUODALE, OGAWA, RAYMOND, ROBERTS.

NOES: NONE.

ABSENT: ASERA, COOPER, CORTESE, DOETSCH, HASSELTINE, HILLIGOSS, KOPP, SILVER.

PUBLIC HEARING TO CONSIDER THE CONTROL OF ORGANIC EMISSIONS FROM DEGREASING OPERATIONS - REGULATION 21

The APCO's report entitled, Proposed Regulation 21-- Control of Organic Compound Emissions from Solvent Metal Cleaning Operations, dated March 1, 1979, was presented.

Mr. Feldstein outlined the necessity for the Regulation.

Mr. Phillips reviewed the proposed Regulation. He corrected §303.3B, line 3 to read: "clearance between parts or conveyors..."

Dr. Hasseltine arrived at 10:05 A.M.

Mr. Cooper arrived at 10:10 A.M.

Mr. Kopp arrived at 10:11 A.M.

Chairperson McCorquodale opened the public hearing at 10:10 A.M.

Mr. Powell furnished the Clerk nine Affidavits of Publication of Notice of Public Hearing.

The following made a presentation:

Wesley G. Baker
Baron - Blakeslee

supported the proposed Regulation after discussion of §303.2C.

Mike Humemy
ARB

spoke in opposition to the Regulation, requesting that the exempt solvents be retained and the current Regulation 3.

After discussion, Mr. Ogawa moved that the public hearing be closed and that Resolution No. 1123, In the Matter of Adopting Regulation 21 Relating to the Control of Organic Compound Emissions From Solvent Metal Cleaning Operations, be adopted; seconded by Dr. Bacciocco; carried on roll call:

AYES: BACCIOCCO, BOXER, CHAPMAN, COOPER, FERRITO,
HASSELTINE, KETCHAM, KOPP, LANDIS MCCORQUODALE,
OGAWA, RAYMOND, ROBERTS.

NOES: NONE.

ABSENT: ASERA, CORTESE, DOETSCH, HILLIGOSS, SILVER.

Ms. Silver arrived at 10:25 A.M.

AUTHORIZATION FOR CHAIRPERSON TO SIGN PURCHASE ORDERS

- a) Painting of Building
 - b) Carpeting of Building
 - c) Repair of Laboratory Hood
-

Mrs. Boxer moved the adoption of Resolution No. 1124, In the Matter of Authorizing the Chairman of the Board of Directors to Sign Two Purchase Orders Each in Excess of \$4,000.00 for Building Improvements; and Resolution No. 1125, In the Matter of Authorizing the Chairman of the Board of Directors to Sign a Purchase Order for an Amount in Excess of \$4,000.00; seconded by Mr. Ogawa.

In discussion, Mr. Daniel Borst, President of the BAAQMD Employees Association, presented a written statement dated March 7, 1979, opposing the expenditures for painting and carpeting.

After discussion on the necessity for new carpeting because of safety, Mr. Landis moved the question be called; seconded by Mrs. Raymond; failed on voice vote.

Mr. Ferrito moved that the purchase order in amount of \$16,287.00 for painting be deleted; seconded by Mr. Roberts; failed on voice vote.

Mrs. Boxer's motion then carried on roll call:

AYES: BACCIOCCO, BOXER, CHAPMAN, HASSELTINE, KETCHAM,
KOPP, LANDIS, McCORQUODALE, OGAWA, RAYMOND,
SILVER.

NOES: COOPER, FERRITO, ROBERTS.

ABSENT: ASERA, CORTESE, DOETSCH, HILLIGOSS.

PUBLIC HEARING TO CONSIDER THE CONTROL OF ORGANIC
EMISSIONS FROM METAL COATING OPERATIONS - REGULATION 19

The APCO's report entitled, Proposed Metal Parts and Products Coating Regulation 19, dated March 1, 1979, was presented.

Mr. Phillips reviewed the Regulation and presented an Addendum thereto dated March 7, 1979, with respect to §401.

Chairperson McCorquodale opened the public hearing at 10:45 a.m.

Mr. Powell furnished the Clerk with nine Affidavits of Publication of Notice of Public Hearing.

The following made presentations:

Albert Aronow
Sinclair Paint Company
Los Angeles

requested the matter be put over for a month because he had just received a copy of the final version of the Regulation.

Mr. Cooper moved the public hearing be continued to April 4, 1979; seconded by Mr. Roberts. The motion was held in abeyance until everyone had an opportunity to make a presentation.

Joe Carbone
Union City

spoke in support of the proposed Regulation, outlining the work that had been done on developing it.

Ms. Silver left at 10:55 A.M.

There was discussion on §301-VOC Limitations, Mr. Feldstein advising that major suppliers can meet the limit.

Don McNerney
Control Strategy Development Section
ARB

outlined the development of their Model Rule and the limits they proposed stating they correlated to the coatings available.

Mr. Cooper spoke in support of the public hearing being continued for a month, outlining his concerns and pointing out that in adopting the Regulation the District was setting a precedent for the entire country; that compliance was not due for three years.

Mr. Carbone in further comments stated that EPA has advised that when the most stringent is adopted it shall be uniform throughout the country.

Mr. Cooper's motion to continue the public hearing failed on roll call:

AYES: COOPER, HASSELTINE, KOPP, OGAWA, ROBERTS.

NOES: BACCIOCCO, BOXER, CHAPMAN, FERRITO, KETCHAM, LANDIS, MCCORQUODALE, RAYMOND.

ABSENT: ASERA, CORTESE, LOETSCH, HILLIGOSS, SILVER.

Mr. McNerney in further comments suggested the Board adopt the ARB Model Rule; stated that the proposed Regulation was not sufficient.

Mr. Feldstein advised that the proposed Regulation was adequate for the present CTG requirement and that there will be a second CTG which will be added to the Regulation at a future date.

Dr. Bacciocco moved that the public hearing be closed and the adoption of Resolution No. 1126, In the Matter of Adopting Regulation 19 Relating to the Control of Volatile Organic Compound Emissions From the Surface Coating of Large Appliances and Metal Furniture; seconded by Mr. Chapman.

The motion was held until the following made a presentation:

Clayborne Smith
Environmental Affairs Manager
DuPont Company

in comments stated it would be difficult to meet the proposed Regulation on a broad basis and would create problems for some segments of the industry.

Mr. Cooper left at 11:25 A.M.

Albert Aronow
Sinclair Paint Company

commented on the specifics of the Regulation, powdered coatings, transfer efficiency.

Dr. Bacciocco's motion then carried on roll call:

AYES: BACCIOCCO, BOXER, CHAPMAN, FERRITO, HASSELTINE,
KETCHAM, KOPP, LANDIS, McCORQUODALE, OGAWA,
RAYMOND.

NOES: ROBERTS.

ABSENT: ASERA, COOPER, CORTESE, DOETSCH, HILLIGOSS,
SILVER.

Directors Hasseltine, Raymond and Roberts left at 11:35 A.M.

CONTINUATION OF PUBLIC HEARING TO CONSIDER AN UPPER STACK
SO₂ LIMITATION FOR ACID PLANTS AND SULFUR PLANTS - REGULATION 2

Mr. Ogawa moved that the above agenda item be continued to July 18, 1979; seconded by Dr. Bacciocco; carried.

PUBLIC HEARING TO CONSIDER THE CONTROL OF ORGANIC
EMISSIONS FROM ASPHALT USE OPERATIONS - REGULATION 20

The APCO's report entitled, Proposed Regulation 20 - Control of Organic Emissions from Paving and Paving Maintenance Operations, dated March 1, 1979, was presented.

The public hearing was continued to March 21, 1979.

REPORT OF THE APCO
Milton Feldstein

The APCO's report entitled, Legislative Report, dated March 5, 1979, was presented.

Implications of Change of Ozone Standard to AQMP

Deferred until the next meeting of the Board.

Report on Outcome of Naval Air Station Case

Mr. Grieves reported on the litigation with the U.S. Navy with respect to jet engine test cells at Alameda Naval Air Station, stating that such litigation resulted in requiring the Navy to comply with District Regulations.

CHAIRPERSON'S REPORT
Daniel A. McCorquodale

Mr. Kopp suggested Mr. Feldstein report to the Board on March 21, 1979, an estimate of the amount of unexpended money by the end of this fiscal year so that the Board might consider the request of the BAAQMD Employees Association for a revision of the compensation schedule, for at least the last quarter of the fiscal year. Chairperson McCorquodale referred this matter to the Budget and Finance Committee for a report to the Board.

Mr. Powell suggested that the Board go on record prior to April 1, 1979 indicating salaries after April 1 may be revised upward.

Chairperson McCorquodale advised there would be a meeting of the Ad Hoc Committee on Legislation at 9:00 A.M., March 21, 1979, an Executive Committee meeting at 9:30 A.M., March 21, 1979 and that the regular Board meeting would convene at 10:00 A.M., instead of 9:30 A.M. on that day.

Mrs. Boxer requested that the matter of a vehicle policy in terms of Management and all District employees be discussed, and Chairperson McCorquodale referred the matter to the Personnel Committee for discussion at its next meeting.

- - -
The following reports were presented:

Pending Referrals From Board of Directors, dated February 22, 1979; Board Referrals to Advisory Council dated February 14, 1979.

TIME AND PLACE OF NEXT MEETING

10:00 A.M., Wednesday, March 21, 1979, 939 Ellis Street, San Francisco, California.

DISTRICT ORIENTATION PROGRAM

Deferred until March 21, 1979.

The meeting adjourned at 11:45 A.M.

Respectfully submitted,

Mabel Harder
Clerk of the District

MH:fb

A/581
Apr 4 1979

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
April 4, 1979
9:30 A.M.

939 Ellis Street
San Francisco,
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Edward J. Bacciocco, Jr.,
Sam Chapman, Fred F. Cooper,
Eric R. Hasseltine, M.
Patricia Hilligoss, Pamela
Ketcham, Quinton Kopp, L.N.
"Judge" Landis, Daniel A.
McCorquodale, Frank H. Ogawa,
Valerie A. Raymond, Verne L.
Roberts.

BOARD MEMBERS ABSENT:

Larry Asera, Barbara Boxer,
Dominic L. Cortese, Ralph
P. Doetsch, Thomas J.
Ferrito, Carol Ruth Silver.

ADVISORY COUNCIL MEMBERS
PRESENT:

William B. McCormick.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F.
Bell, Hulan F. Brinkley,
Daniel Goalwin, Richard W.
Grieves, Dario Levaggi,
Edward W. McHugh, John F.
Powell, Lewis H. Robinson,
Mabel Harder.

INSTITUTE OF GOVERNMENTAL
STUDIES

APR 25 1979

UNIVERSITY OF CALIFORNIA

Chairperson McCorquodale called the meeting to order at 9:40 A.M. A quorum was not present.

PUBLIC PRESENTATION

There were none.

Mr. Ogawa arrived at 9:41 A.M., and a quorum was now present.

APPROVAL OF MINUTES OF MARCH 21, 1979

Mrs. Hilligoss requested a correction on page 6, paragraphs 11 and 12 to be reversed.

COMMUNICATIONS

Edward J. Bacciocco, Jr., Secretary

The following communications were presented:

Congressman John L. Burton

acknowledging receipt of the District's Resolution urging the Department of Energy to allow gasoline bulk dealers to recover costs for vapor recovery systems.

Congressman Don Edwards

acknowledging receipt of the District's Resolution urging the Department of Energy to allow bulk dealers to recover costs for vapor recovery systems.

Jean B. Siri, President
West Contra Costa Conservation League

opposing the granting of a permit to Wickland Oil Company.

Bill Craig
Old Highway 4 Realty & Mortgage Co.
Antioch

suggesting a once-a-month burning day throughout the District for foliage and vegetation in order to conserve gas, money and time in hauling debris to the dump.

Morris H. Katz
Executive Vice President
Paul Masson Vineyards
Saratoga

requesting that wineries be exempt from the permit fee schedule because emissions therefrom are insignificant.

Russell T. Woodbury
Woodbury Winery
San Rafael

requesting that wineries be exempt from the permit fee schedule because emissions are insignificant.

Jack L. Davies
Schramsberg Vineyards and Cellars
Calistoga

opposing the permit fee schedule on wineries.

Ed Friedrich
Vice President/General Manager
San Martin Winery

requesting wineries be exempt from the permit fees.

Jan R. Krupp, M.D.
Pinole Medical Group

opposed to the permit being granted to Wickland Oil Company in Selby, stating that Contra Costa County has a high concentration of oil refineries and has a reputation of being a cancer belt.

Jim Campbell, Chairman
California Service Station Council

referring to the amendment to Section 1302.2, Regulation 2, and its impact on service station dealers; and the intent of AB-3579; requesting that the change in 1302.2 be re-heard.

DIVISION MONTHLY REPORTS

The following reports were presented:

Director of Enforcement Monthly Activity Report for March 1979, dated March 26, 1979; Director of Technical Services Monthly Activity Report, February 21 through March 20, 1979; Acting Director of Permit Services Monthly Activity Report, Permit Services Division, February 20, 1979 to March 21, 1979; Acting Director of Planning Division Monthly Report February 21 through March 20, 1979; Director of Public Information Monthly Activity Report - February 24, 1979 - March 25, 1979; Status of Legal Matters - February 26, 1979 to March 26, 1979; Acting Director of Administrative Services Appropriation Statement and Cash Position, February 28, 1979.

APPROVAL OF GUIDELINES FOR ENTERING INTO
CONTRACTS WITH INDUSTRY

The APCO's report entitled, Guidelines for Entering into Contracts with Industry, dated March 28, 1979, was presented.

SET PUBLIC HEARING FOR JUNE 6, 1979 TO
AMEND REGULATION 10 REGARDING AN
EMISSION LIMITATION FOR VALVES AT REFINERIES

The APCO's report entitled, Set Public Hearing for Amendments to Regulation 10 - Valves at Refineries, dated March 28, 1979, was presented.

APPROVAL OF AMENDMENTS TO ADMINISTRATIVE CODE
REGARDING ATTENDANCE OF BOARD MEMBERS AND
TIME LIMITATIONS FOR SPEAKERS

The APCO's report entitled, Proposed Changes to Administrative Code, dated March 28, 1979, was presented.

Mrs. Hilligoss moved the approval of the above Consent Calendar Items and Resolution No. 1129, In the Matter of Amending the Administrative Code; seconded by Mr. Ogawa; carried on roll call:

AYES: BACCIOCCO, CHAPMAN, COOPER, HILLIGOSS, KETCHAM,
 LANDIS, MCCORQUODALE, OGAWA, RAYMOND, ROBERTS.

NOES: NONE.

ABSENT: ASERA, BOXER, CORTESE, DOETSCH, FERRITO, HASSELTINE,
 KOPP, SILVER.

REPORT OF THE PERSONNEL COMMITTEE
Edward J. Bacciocco, Jr., Chairperson

Dr. Bacciocco reviewed his report entitled, Report of the Personnel Committee, dated April 4, 1979, in which the Committee recommended that the Objectives of the District's Affirmative Action Plan be amended in Section II, B and E to change "population" to "work force" and the addition of G.

Mr. Landis moved that the Board adopt the change in the Affirmative Action Plan as recommended by the Committee; seconded by Mr. Chapman; carried.

Dr. Bacciocco stated the Committee recommends that the Board go on record declaring salaries to be considered indefinite during this last quarter of the fiscal year because the Board is considering a change in the salaries and needs to review a

comparison of figures between a cost-of-living increase and that recommended in the Beaman Salary Survey, and he so moved; seconded by Mr. Ogawa; carried.

REPORT OF THE BUDGET AND FINANCE COMMITTEE
Quentin Kopp, Chairperson

In the absence of Mr. Kopp, Chairperson McCorquodale reported that the Committee met prior to the Board meeting and recommends the adoption of Resolution No. 1130, In the Matter of Authorizing the Chairman of the Board of Directors to Sign a Purchase Order in an Amount Exceeding \$4,000; seconded by Mr. Roberts; carried on roll call:

AYES: BACCIOCCO, CHAPMAN, COOPER, HILLIGOSS, KETCHAM, LANDIS, MCCORQUODALE, OGAWA, RAYMOND, ROBERTS.

NOES: NONE.

ABSENT: ASERA, BOXER, CORTESE, DOETSCH, FERRITO, HASSELTINE, KOPP, SILVER.

Chairperson McCorquodale stated the Committee recommends a 7% across the board increase for all District employees effective April 1, 1979, as set forth in the Resolution entitled, In the Matter of Providing for Salary Ranges of District Employees, and he so moved; seconded by Mr. Roberts.

Mr. Kopp arrived at 9:50 A.M.

There was discussion on whether the increase should be part of a Meet and Confer session, Mr. Cooper stating he felt the District should receive something in exchange for the recommended increase. Mr. Feldstein pointed out that employees salaries have fallen behind 20% in cost-of-living since July 1977; that the purpose of the Beaman survey was to bring salaries up to parity; that said survey was a year old; that the Staff was conferring with the employees now with respect to the report; that there would be further reorganization to make the District more efficient and that this would be part of the Meet and Confer sessions. Dr. Bacciocco stated that the intent of the Personnel Committee's recommendation was to avoid any kind of an increase being given arbitrarily and that it wanted information from the Budget & Finance Committee on the cost for implementing the Beaman Report before making any recommendation; that the Board should defer any salary increase at this time.

Dr. Hasseltine arrived at 10:00 A.M.

There was discussion on a 7% increase defraying the cost of implementing the Beaman study and that Board action had been taken on declaring salaries indefinite during this last quarter of the fiscal year. Mr. Powell outlined the Personnel Committee's discussion and action taken subsequent to that meeting; and outlined the Meet and Confer sessions that had been held earlier in the year.

After further discussion on the Budget & Finance Committee's recommendation being in opposition to the Personnel Committee's recommendation, Mr. McCorquodale's motion failed on roll call:

AYES: KETCHAM, KOPP, LANDIS, MCCORQUODALE, OGAWA, ROBERTS.

NOES: BACCIOCCO, CHAPMAN, COOPER, HASSELTINE, HILLIGOSS, RAYMOND.

ABSENT: ASERA, BOXER, CORTESE, DOETSCH, FERRITO, SILVER.

Mr. Cooper moved that the Board go on record indicating its intent of granting a retroactive pay raise of 7% subject to (1) that there be Meet and Confer sessions with quid pro quo in mind; and (2) that if it becomes apparent in those sessions that some employees are substantially higher in parity with other positions that they be excluded from the 7%; seconded by Mrs. Hilligoss; carried on roll call:

AYES: BACCIOCCO, CHAPMAN, COOPER, HASSELTINE, HILLIGOSS, KETCHAM, KOPP, LANDIS, MCCORQUODALE, OGAWA, RAYMOND, ROBERTS.

NOES: NONE.

ABSENT: ASERA, BOXER, CORTESE, DOETSCH, FERRITO, SILVER.

- - -

Mr. Cooper requested a Staff report on the compromise between the District, MTC and ABAG Staff on how the 122 T/D resulting from EPA's change in the ozone standard from 0.08 ppm to 0.12 ppm is allocated in the AQMP, and that the matter be agendized at the next meeting, stating that the Board should be informed immediately of any changes in the AQMP because of possible future implications, and Chairperson McCorquodale so ordered.

CONTINUATION OF HEARING TO CONSIDER CHANGES
IN NEW SOURCE REVIEW RULE - REGULATION 23
(TO BE CONTINUED TO MAY 2, 1979)

The APCO's report entitled, Public Hearing on New Source Review, dated March 28, 1979, was presented.

Mr. Kopp moved that the public hearing on the NSRR be continued to May 2, 1979; seconded by Mr. Ogawa; carried.

Mr. Cooper left at 10:30 A.M.

PUBLIC HEARING TO CONSIDER AMENDMENT TO EXEMPTION
LIMITS FOR VAPOR RECOVERY AT SERVICE STATION
STORAGE TANKS - REGULATION 2

The APCO's report entitled, Proposed Amendment to Exemption Limits for Vapor Recovery at Service Station Storage Tanks, dated March 28, 1979, was presented.

Mr. Goalwin outlined the proposed amendment.

Chairperson McCorquodale opened the public hearing at 10:34 A.M. Mr. Powell presented the Clerk with nine Affidavits of Publication of Notice of Public Hearing.

There were no presentations.

Dr. Hasseltine moved that the public hearing be closed at 10:35 A.M. and the adoption of Resolution No. 1131, In the Matter of Amending Regulation 2 Relating to Vapor Recovery; seconded by Mrs. Raymond; carried on roll call:

AYES: BACCIOCCO, CHAPMAN, HASSELTINE, HILLIGOSS, KETCHAM, KOPP, LANDIS, MCCORQUODALE, OGAWA, RAYMOND, ROBERTS.

NOES: NONE.

ABSENT: ASERA, BOXER, COOPER, CORTESE, DOETSCH, FERRITO, SILVER.

REPORT OF AIR POLLUTION CONTROL OFFICER
Milton Feldstein

Report on Emissions from Winery Operations

The APCO's report entitled, Report on Emissions from Winery Operations, dated March 29, 1979, was presented.

Mrs. Hilligoss moved that a public hearing to consider adding an exemption from permit requirements and permit fees for tanks used for fermentation or the aging of wine be set for May 16, 1979; seconded by Mr. Chapman; carried.

Report on Wickland Oil Permit

Mr. Feldstein reviewed the Wickland Oil Company's Permit Application and the permit requirements, stating that tentative approval has been granted; that a 30 day comment period is necessary before the final permit can be granted; and the ARB must approve.

Karl Grossenbacher
Gray Panthers of West Contra Costa County

spoke in opposition to trading off pollutants in San Francisco for Contra Costa County, pointing out that Contra Costa County has a high rate of cancer and urged the Board to communicate with the Governor and Beverly Myers to solve the problems which are holding up the cancer study project.

Dr. Hasseltine moved that the Board request the State to move ahead expeditiously with the cancer study in Contra Costa County; seconded by Mrs. Raymond; carried.

- - -

Mr. Feldstein advised that he had refunded \$150.00 to the SS Aquilla because it had paid its fine twice.

CHAIRPERSON'S REPORT Daniel A. McCorquodale

Chairperson McCorquodale called attention to the letter received from Mr. Jim Campbell, California Service Stations Council, dated March 23, 1979, with respect to Section 1302.2, Regulation 2, and AB-3579.

The following reports were presented:

Pending Referrals from Board of Directors, dated March 9, 1979; Board Referrals to Advisory Council, dated February 14, 1979.

PUBLIC COMMENTS

Mike Webb
Union Oil Company
Napa

inquired as to the action taken by the Board on the amendment to Regulation 2 with respect to service station storage tanks, and Mr. Feldstein outlined the action taken.

OTHER

The Board went into Executive Session at 10:55 A.M. to discuss salary negotiations and reconvened at 11:30 A.M.

DISTRICT ORIENTATION PROGRAM

Deferred until the next meeting of the Board.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, April 18, 1979, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 11:31 A.M.

Respectfully submitted,

Mabel Harder
Clerk of the District

MH:fb

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
 939 Ellis Street
 San Francisco, California 94109
 771-6000

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
 April 18, 1979
 9:30 A.M.

939 Ellis Street
 San Francisco,
 California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Edward J. Bacciocco, Jr.,
 Sam Chapman, Fred F. Cooper,
 Dominic L. Cortese, Ralph P.
 Doetsch, Sr., Thomas J.
 Ferrito, Eric H. Hasseltine,
 M. Patricia Hilligoss, Pamela
 Ketcham, Quentin Kopp, L.N.
 "Judge" Landis, Daniel A.
 McCorquodale, Frank H. Ogawa,
 Valerie A. Raymond, Verne L.
 Roberts, Carol Ruth Silver.

BOARD MEMBERS ABSENT:

Larry Asera, Barbara Boxer.

HEARING BOARD MEMBER
 PRESENT:

Ralph Trower.

ADVISORY COUNCIL MEMBER
 PRESENT:

Jack Oppenheimer.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F.
 Bell, Hulan F. Brinkley,
 Daniel Goalwin, Richard W.
 Grieves, Peter Hess, Dario
 Levaggi, Edward W. McHugh,
 John F. Powell, Lewis H.
 Robinson, Mabel Harder.

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Chairperson McCorquodale called the meeting to order at 9:40 A.M.

PUBLIC PRESENTATION

There were none.

APPROVAL OF MINUTES OF APRIL 4, 1979

COMMUNICATIONS

Edward J. Bacciocco, Jr., Secretary

The following communications were presented:

Affirmative Action Council

Minutes of meeting of March 6, 1979.

Edwin P. Mampe, Jr.
Director
Economic Regulatory Administration
Department of Energy

responding to our letter of March 6, 1979 advising that a proposal to allow wholesalers to pass through the increase cost of installing vapor recovery systems would be published within the next week.

A. P. Elliott
Vice President and Director of Marketing
Hirt Combustion Engineers

advising of their new high efficiency gasoline vapor recovery system.

A. Quady
Manager, Process Development
United Vintners Inc.
Madera

inquiring as to the time and place of the public hearing on emissions from wine tanks.

Joseph P. Hennessey, Jr.
Corvallis, Oregon

submitting his resume for a position in meteorology.

Eric P. Wente, President
Wente Bros.
Livermore

opposed to fees and permits being applied to the wine industry.

EPA

Notice of Public Hearing on proposed regulations for the assessment of noncompliance penalties on May 10-11, 1979 in San Francisco.

Allen B. Ferrera, President
Grand Cru' Vineyards
Glen Ellen

urging that wineries be exempt from permit fee schedules.

F.R. Bottomley, Chairman
Bay Area Technical Subcommittee
Western Oil & Gas Association

enclosing a copy of their comments on the ARB's Model New Source Review Rule.

Michael Mitchell
Auditor-Controller
County of Marin

enclosing forms for their budget preparation.

Bill Craig
Antioch

referring to his previous correspondence and our response with respect to his suggestion for a once-a-month burning day throughout the District, requesting an opportunity to make a presentation on the matter before the Board.

S. Robert Connor
Auditor-Controller
County of Sonoma

requesting the District's Audit Report for the 1976-77 and 1977-78 Fiscal Years.

APPROVAL OF CONTRACT BETWEEN ABAG AND BAAQMD

The APCO's report entitled, Contract Between ABAG and BAAQMD for Services to be Rendered by District, dated April 11, 1979, was presented.

SET PUBLIC HEARING FOR JUNE 6, 1979 TO PROHIBIT
SALE OF NON-CERTIFIED VAPOR RECOVERY NOZZLES

The APCO's report entitled, Set Public Hearing to Consider Prohibition of Sale of Non-Certified Vapor Recovery Nozzles, dated April 11, 1979, was presented, requesting a Public Hearing date of June 6, 1979.

APPROVAL OF OUT-OF-STATE TRAVEL

The APCO's report entitled, Request for Authorization to Travel Outside the District, undated, was presented.

APPROVAL OF REFUNDS FOR OVERPAYMENT OF PERMIT FEES

The APCO's report entitled, Approval of Refunds for Overpayment of Permit Fees, dated April 11, 1979, was presented.

Mr. Cooper moved the approval of the above Consent Calendar items; seconded by Mrs. Hilligoss.

In discussion, Mr. Feldstein requested that the Public Hearing set for May 16 to exempt winery storage tanks from permit conditions be re-set to June 6, 1979 because draft regulatory language was not available and Mr. Cooper included approval of said request in his motion, and the motion then carried.

EXECUTIVE SESSION WITH DESIGNATED REPRESENTATIVES,
PURSUANT TO GOVERNMENT CODE SECTION 54957.6

The Board went into Executive Session at 9:42 A.M. relating to negotiations with the employees' unions.

Directors Doetsch and Ferrito arrived at 9:46 A.M.

Director Hasseltine arrived at 9:50 A.M.

Director Kopp arrived at 9:51 A.M.

The Board reconvened at 9:55 A.M.

CONSIDERATION OF ACTION RELATIVE TO SALARY
INCREASES EFFECTIVE APRIL 1, 1979

Mr. Landis moved the adoption of the following Resolutions:

Resolution No. 1132, In the Matter of Amending the Memorandum of Understanding with the Employee Representation Units.

Resolution No. 1133, In the Matter of Providing for Salary Ranges of District Employees.

Seconded by Mrs. Hilligoss; carried on roll call:

AYES: BACCIOCCO, CHAPMAN, COOPER, CORTESE, DOETSCH,
FERRITO, HASSELTINE, HILLIGOSS, KETCHAM, KOPP,
LANDIS, MCCORQUODALE, OGAWA, RAYMOND, ROBERTS,

NOES: NONE.

ABSENT: ASERA, BOXER, SILVER.

Director Silver arrived at 9:58 A.M.

QUARTERLY REPORT OF HEARING BOARD
Ralph Trower

The Hearing Board Quarterly Report January 1, 1979 - March 31, 1979, dated April 2, 1979, was presented.

Mr. Trower compared the current quarterly figures with those for the same and other quarters in 1978, and briefly outlined the efforts the Hearing Board is making to streamline its procedures.

REPORT ON LIGHTERING
Peter Hess

Mr. Hess reported on the ARB's published Model Rule requiring 95% recovery of organic gases and the use of $\frac{1}{2}\%$ sulfur fuel on all marine vessels, including lightering vessels; that the South Coast Air Quality Management District adopted a regulation requiring $\frac{1}{2}\%$ sulfur fuel be used on lightering vessels; that in December 1978 the District proposed Regulation 12 requiring 95% control on organic gases from lightering vessels; that in January-March 1979 the ARB held workshops. He outlined the cost-effectiveness to meet the ARB proposed rule stating the total capital cost would be about \$200MM. He outlined the costs for meeting the District's proposed Regulation 12 and the reduction in emissions therefrom.

In discussion, he stated there were three refineries carrying on lightering in the District and two vessels used in the operations; that to retrofit those vessels would be very cost-ineffective. Mr. Feldstein pointed out that the District's proposed Regulation 12 requires the Coast Guard to first approve any equipment used to achieve 95% control and that a source would have three years after said time to provide the retrofitting.

In further discussion, Mr. Feldstein stated that the ARB would be holding additional workshops and the District was holding proposed Regulation 12 in abeyance until the ARB makes a decision on its Model Rule. Mr. Cooper suggested that the District clarify the ARB's position on the matter prior to the Public Hearing on May 16.

After further discussion, the Staff was requested that its future report on lightering contain a breakdown on the tons per day of emissions from lightering vessels, marine vessels, and pleasure vessels, the cost-effectiveness of each, and the seasonal emissions of each.

After further discussion, Mr. Kopp moved to accept the Staff's report; seconded by Mr. Ogawa; carried.

REPORT OF AIR POLLUTION CONTROL OFFICER
Milton Feldstein

Report on ABAG Changes to AQMP

The APCO's report entitled, Air Quality Maintenance Plan, dated April 17, 1979, was presented, which Mr. Feldstein reviewed along with charts which he presented entitled, Proposed Revisions to the AQMP Resulting from the Change in the Ozone AQS (Organic Emissions), dated April 18, 1979, and Allocation of the 125 T/D in the Modified AQMP, dated April 17, 1979. Mr. Feldstein requested that the Board approve the ABAG Executive Board proposed Resolution with the one reservation that administration of any emissions growth allowance be retained within the District's permit review process.

Mr. Kopp so moved; seconded by Dr. Hasseltine.

There was discussion on the technical assumptions for meeting the standards; that presently the District must meet the state standard; the EPA review of the health data resulting in its change in the ozone standard and the ARB's acceptance thereof; that the District has to submit a plan to achieve another 17 T/D reduction; the allocation process, Mr. Feldstein stating that an application would have to go through the regional planning process and the District's permit process.

The motion then carried, with Director Ferrito voting No stating he did not feel the change in the formulation was justified.

Report on Pass-Through Costs for Small Bulk Plants

Mr. McHugh referred to the Resolution adopted by the Board on March 7, 1979 urging the United States Department of Energy to amend its regulations to permit pass-through of costs by small bulk terminal operators for vapor recovery equipment, stating the District has been advised that the Energy Department agreed with the proposal and that on April 11 it proposed an amendment to its rules; that a letter from the Chairperson would be sent during the comment period supporting the proposed amendment as well as letters of appreciation to the various legislators for their support of the proposal.

Legislative Report

The APCO's report entitled, Legislative Report, dated April 11, 1979, as well as AB-799 (Calvo) was presented. Mr. Powell briefly reviewed the report, after which Mr. Chapman moved that the Board adopt the Staff's recommendations contained therein, except for that on SB-847, SB-901, SB-902, on which further reports would be made; seconded by Mr. Roberts; carried.

CHAIRPERSON'S REPORT Daniel A. McCorquodale

Reference was made to the communication received from Mr. Bill Craig suggesting a once-a-month burning day throughout the District, Mr. McCorquodale expressing opposition to resuming such open burning pointing out that the ban on backyard burning had been accepted.

There was discussion on having a Special Meeting of the Board on May 30, 1979, and making a tour of the Standard Oil Refinery, and it was so agreed.

The following reports were presented:

Pending Referrals from Board of Directors, dated April 6, 1979.

Board Referrals to Advisory Council, dated February 14, 1979.

PUBLIC COMMENTS

There were none.

OTHER

Dr. Hasseltine stated that the Contra Costa County Board of Supervisors has requested that the Public Comment Period with respect to the Wickland Oil Company Permit Application be extended 30 days and that the Board of Directors hold a Public Hearing on the decision in Contra Costa County.

There was discussion on the fact that the decision on permit applications is with the Air Pollution Control Officer and not the Board of Directors; that it is at his discretion as to whether or not a Public Hearing would be held.

Director Silver left at 11:25 A.M.

After further discussion, Mr. Cooper moved that Dr. Hasseltine's request be referred to Mr. Feldstein and that the Board consider an educational meeting in Richmond on May 30; seconded by Mr. Landis; carried.

Chairperson McCorquodale announced that the Special Meeting on May 30 would be an educational meeting and start at 9:00 A.M.; that a quorum need not be present.

Director Kopp left at 11:29 A.M.

Directors Cooper and Hasseltine left at 11:30 A.M.

DISTRICT ORIENTATION PROGRAM

Review of Permit Systems

Mr. Goalwin reviewed the procedures for processing a permit application and presented the forms in connection therewith and a document entitled, Lists and Criteria dated July 1, 1978.

Director Bacciocco left at 11:50 A.M.

The balance of the Orientation Program was continued to a further meeting.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, May 2, 1979, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 11:50 A.M.

Respectfully submitted,

Mabel Harder
Clerk of the District

MH:fb

9/58/

May 2, 1979

3

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
May 2, 1979
9:30 A.M.

939 Ellis Street
San Francisco,
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Edward J. Bacciocco, Jr., Barbara
Boxer, Sam Chapman, Fred F. Cooper,
Dominic L. Cortese, Ralph P.
Doetsch Sr., Thomas J. Ferrito,
Eric H. Hasseltine, M. Patricia
Hilligoss, Pamela Ketcham, Quentin
Kopp, L. N. "Judge" Landis, Daniel
A. McCorquodale, Frank H. Ogawa,
Valerie A. Raymond, Verne L. Roberts,
Carol Ruth Silver.

BOARD MEMBER ABSENT:

Larry Asera.

ADVISORY COUNCIL PRESENT:

Jack C. Oppenheimer.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F. Bell,
Hulan F. Brinkley, Daniel Goalwin,
Richard W. Grieves, Peter Hess,
Dario Levaggi, Edward W. McHugh,
John F. Powell, Louis H. Robinson,
Mabel Harder.

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INSTITUTE OF ENVIRONMENTAL
LIBRARY

MAY 11 1979

UNIVERSITY OF CALIFORNIA

Chairperson McCorquodale called the meeting to order at 9:35 A.M.

PUBLIC PRESENTATION

There were none.

APPROVAL OF MINUTES OF APRIL 18, 1979

COMMUNICATIONS

Edward J. Bacciocco, Jr. Secretary

The following communications were presented:

EPA

bulletin entitled, Planning a Conference.

EPA

announcing appointment of Frank M. Covington and Clyde B. Eller in Senior Management positions.

J. F. Dehnert
Chairman of the Air Resources Committee
BALIA

commenting on the proposed New Source Review Rule - Regulation 23.

DIVISION MONTHLY REPORTS

The following were presented:

Director of Enforcement Monthly Activity Report for April 1979;
Director of Permit Services Monthly Activity Report March 21, 1979
to April 20, 1979;
Acting Director of Planning Activity Report March 21 through
April 17, 1979;
Director of Technical Services Monthly Activity Report, March 21,
through April 17, 1979;
Director of Public Information Monthly Activity Report - March 26,
1979 - April 24, 1979;
Status of Legal Matters - March 27, 1979 to April 26, 1979;
Director of Administrative Services Appropriation Statement and
Cash Position March 31, 1979.

APPROVAL OF REFUNDS FOR OVERPAYMENT OF
PERMIT FEES

The APCO's report entitled, Approval of Refund for Overpayment of Permit fees, dated April 24, 1979, was presented.

Mr. Landis moved the approval of the above Consent Calendar items; seconded by Dr. Hasseltine; carried.

Mr. Doetsch arrived at 9:36 A.M.

Mrs. Ketcham arrived at 9:37 A.M.

STATUS REPORT ON DEFERRED COMPENSATION PLAN
Richard W. Grieves

Mr. Grieves reviewed the background on the District initiating a Deferred Compensation Plan stating that Congress approved such plans last year and that a Staff Ad Hoc Committee had been formed; that it reviewed the State Deferred Compensation Plan as well as others in other jurisdictions, which he outlined; that the Ad Hoc Committee made its recommendation to the APCO and that the Staff will present a resolution to the Board for its approval on May 16, 1979, to execute a plan for the District and to engage Hartford Annuity and Life Insurance Company with respect thereto.

CONTINUATION OF PUBLIC HEARING TO CONSIDER
CHANGES IN NEW SOURCE REVIEW (REGULATION 23)

Chairperson McCorquodale advised that the Staff has held several workshops on the NSRR and that a request had been made to continue the public hearing for two weeks to allow the public an opportunity to review the changes made as the result of those meetings.

Directors Cortese and Cooper arrived at 9:45 A.M.

Mr. Cooper requested that the Staff present at the next meeting a supplemental memorandum outlining the differences between the Staff proposal and that of the groups which the Staff is meeting with, and the differences between the Staff's proposal and that of EPA and ARB, specifically the key differences.

Mr. Ogawa moved that the public hearing be continued to May 16, 1979; seconded by Mr. Roberts; carried.

The following reports were presented:

APCO's entitled, New Source Review Regulation, dated April 27, 1979; Resolution entitled, In the Matter of Adopting Regulation 23 relating to New Source Review.

REPORT OF AIR POLLUTION CONTROL OFFICER
Milton Feldstein

Mr. Feldstein advised that he would hold a public hearing on the Wickland Oil Company Permit Application on May 9, 1979, 7:30 P.M. at the Contra Costa County Board of Supervisors chambers, Martinez; that ARB has approved the Authority to Construct tentatively granted.

Mr. Feldstein announced that the annual meeting of the Air Pollution Control Association would be held in Cincinnati, Ohio on June 24-29, 1979

and that those Directors desiring to attend, should notify him.

Legislative Report

Mr. Powell reviewed the Legislative Report dated April 26, 1979.

Mr. Cooper moved that the Board oppose AB-524(Calvo) until the provision for "resource recovery projects" is deleted; seconded by Mr. Landis.

There was discussion on the number of refuse cogeneration plants that could be built as the result of this legislation, Mr. Cooper pointing out that the District's regulation presently allow them to be built and that it was easier to amend the District's regulation than State law. Mr. Feldstein advised that NO_x was the major contaminant and that the District had received 1 permit application for such plant from the City and County of San Francisco.

The motion carried on roll call:

AYS: BACCIOCCO, CHAPMAN, COOPER, CORTESE, DOETSCH,
FERRITO, HILLIGOSS, KETCHAM, LANDIS, OGAWA,
RAYMOND.

NOS: BOXER, HASSELTINE, MCCORQUODALE, ROBERTS.

ABSENT: ASERA, KOPP, SILVER.

Ms. Silver arrived at 10:10 A.M.

In discussion of SB-901 and SB-902 (Holmdahl), Mr. Cooper requested the Staff to provide a report on the pros and cons of ARB having authority to impose stricter requirements than EPA, and the District having authority to impose stricter requirements than the ARB and EPA.

DOE-PHS Industry Health Effects Study

Mr. Robinson outlined the general purpose of this study, stating it was to develop epidemiological information on the health effects of exposure to petro-chemical emissions, at work and in the community; that the District is involved in the ecologic phase, having developed an air quality model for the study.

There was discussion on the need to determine the length of time a person has resided in the census tract in order to provide valid information for the study.

Dr. Dwayne Reed, Epidemiologist
State Department of Health Services

outlined Phase I as the occupational roster and Phase II as the community health survey, stating two communities had been selected;

that the purpose of the study was to try to separate out the effect of petro-chemical pollution.

Mr. Kopp arrived at 10:35 A.M.

In discussion, Dr. Reed stated the study would be at least 5 years in length; that Dr. Austin's study is focusing only on cancer and that this study is concentrating on other types of health problems.

There was discussion on why the Bay Area was selected for the study rather than Riverside; the types of pollutants being considered; the methodology being used.

Jack C. Oppenheimer
Vice Chairperson
Advisory Council

advised that the Advisory Council 1½ years ago was concerned about the details of the study and whether it was properly designed and suggested that the Board communicate any concerns about this study to the Advisory Council.

After further discussion, Mr. Chapman moved that further consideration of this study be deferred until a report is received from the Public Health Committee of the Advisory Council after it has had an opportunity to review it; seconded by Mr. Landis; carried.

CHAIRPERSON'S REPORT
Daniel A. McCorquodale

Chairperson McCorquodale announced that the Budget & Finance Committee would meet on May 16, 1979 at 8:30 A.M.

The following reports were presented:

Pending Referrals from Board of Directors dated April 19, 1979
Board Referrals to Advisory Council, dated April 25, 1979.

OTHER

Ms. Silver referred to the number of violation notices issued to Pacific Gas & Electric Company. Mr. Brinkley outlined the reasons for some of them stating that there was a continuing problem of a detached plume which PG&E was trying to correct.

Mrs. Boxer referred to the number of violation notices issued to service stations in Marin County. Mr. Feldstein outlined the problem which involved the use of unauthorized nozzles.

EXECUTIVE SESSION WITH DESIGNATED REPRESENTATIVES
PURSUANT TO GOVERNMENT CODE SECTION 54957.6

The Board went into Executive Session at 11:15 A.M.

Directors Hasseltine and Kopp left at 11:30 A.M.

DISTRICT ORIENTATION PROGRAM

Deferred until another meeting.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday May 16, 1979, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 12:15 P.M.

Respectfully submitted,

Mabel Harder
Clerk of the District

MH:js

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
 939 Ellis Street
 San Francisco, California 94109
 771-6000

MAY 21 1979

UNIVERSITY OF CALIFORNIA

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
 May 16, 1979
 9:30 a.m.

939 Ellis Street
 San Francisco
 California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Larry Asera, Edward J. Bacciocco, Jr., Barbara Boxer, Sam Chapman, Fred F. Cooper, Ralph P. Doetsch Sr., Thomas J. Ferrito, Eric H. Hasseltine, M. Patricia Hilligoss, Quentin Kopp, L. N. "Judge" Landis, Daniel A. McCorquodale, Valerie Raymond, Verne L. Roberts, Carol Ruth Silver.

BOARD MEMBERS ABSENT:

Dominic L. Cortese, Pamela Ketcham, Frank H. Ogawa.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F. Bell, Hulan F. Brinkley, Daniel Goalwin, Peter Hess, Dario Levaggi, Edward W. McHugh, John F. Powell, Lewis H. Robinson, Mabel Harder.

- - -

Chairperson McCorquodale called the meeting to order at 9:35 A.M.

PUBLIC PRESENTATION

Karl Grossenbacher
West Contra Costa County Grey Panthers

urged the Board to communicate with the Governor to release funds for the cancer study in Contra Costa County.

APPROVAL OF MINUTES OF MAY 2, 1979

COMMUNICATIONS
Edward J. Bacciocco, Jr. Secretary

The following communications were presented:

Charlotte Maggard
City Clerk
City of San Pablo

Transmitting copy of Ordinance No. 731 with respect to the El Portal Community Redevelopment Project.

Chairperson McCorquodale

Mailgram to Senator Jerry Smith with respect to AB-799, requesting that the ARB Subvention funds be increased.

M. Rothenberg
Chief of Permit Evaluation
BAAQMD

Copy of memorandum to D. Goalwin entitled, Standards of Performance For Chief of Permit Evaluation.

Barry R. Flynn
Electric Superintendant
The City of Santa Clara

Attaching resolution adopted by the City of Santa Clara with respect to the proposed New Source Review Regulation.

Michael R. Barr
Pillsbury, Madison & Sutro

Copy of letter to Mr. Feldstein with respect to proposed Regulation 23--New Source Review Rule.

Michael R. Barr
Pillsbury, Madison & Sutro

Copy of letter to Mr. Feldstein with respect to proposed Regulation 23--NSRR.

Chevron U.S.A., Inc.

Enclosing a critique of the ARB's Model New Source Review Rule approved February 16, 1979.

Richard B. Ward
E. I. DuPont de Nemours & Company

Commenting on proposed Regulation 21--Control of Organic Compound Emissions From Solvent Metal Cleaning Operations, and enclosing the letter and statement made to the ARB.

Affirmative Action Council

Minutes of meeting of April 3, 1979.

Douglas A. Cook
Manager, Environment and Energy
Memorex Corporation

Commenting on the proposed New Source Review Regulation.

Fred E. Weibel, Jr.
Executive Vice President
Weibel Champagne Vineyards

Copy of letter to Director Cooper requesting that wineries be exempt from permit requirements and permit fees.

Wayne A. Bruce, Manager
East Bay Dischargers Authority

Requesting addition in Exemptions of the proposed NSRR.

R. S. Cunningham, Manager
Exxon Company, U. S. A.

commenting on the Proposed NSRR - Bdst Available Control Technology

R. L. Hoenig
Chevron U.S.A. Inc.

commenting on Proposed NSRR.

APPROVAL OF RESOLUTION REGARDING DEFERRED COMPENSATION

The APCO's report entitled, Deferred Compensation Plan, dated May 10, 1979, was presented together with Resolution No. 1134, In the Matter of Establishing A Deferred Compensation Plan.

Mr. Kopp moved the adoption of the above Consent Calendar items; seconded by Mr. Doetsch; carried on roll call:

AYES: BOXER, CHAPMAN, DOETSCH, FERRITO, HASSELTINE, KOPP,
LANDIS, MCCORQUODALE, RAYMOND, ROBERTS.

NOES: NONE.

ABSENT: ASERA, BACCIOCCO, COOPER, CORTESE, HILLIGOSS,
KETCHAM, OGAWA, SILVER.

REPORT OF BUDGET AND FINANCE COMMITTEE
Quentin Kopp, Chairperson

Vice Chairperson Doetsch reported that the Committee met prior to the Board meeting for a preliminary discussion on the 1979-80 Fiscal Year budget.

REPORT OF ADVISORY COUNCIL
Scott Lynn, Chairperson

The Report of Advisory Council, dated May 10, 1979, was presented.

CONTINUATION OF PUBLIC HEARING TO CONSIDER CONTROL
OF LIGHTERING OPERATIONS (REGULATION 12)

The APCO's report entitled, Public Hearing On The Lightering Rule, dated May 11, 1979, was presented requesting the Public Hearing be continued to September 5, 1979.

Mr. Doetsch moved that the Public Hearing be continued to September 5, 1979; seconded by Mrs. Raymond; carried.

Mrs. Hilligoss arrived at 9:41 A.M.

REPORT OF AIR POLLUTION CONTROL OFFICER
Milton Feldstein

Report on Holmdahl Bills SB-901 and SB-902

Mr. Feldstein reviewed his report entitled, SB-902 and SB-901, dated May 9, 1979.

Mr. Kopp moved that the Board oppose SB-902 (Holmdahl); seconded by Mr. Chapman; carried.

Mr. Feldstein reviewed SB-901 (Holmdahl).

Directors Bacciocco and Cooper arrived at 9:47 A.M.

Mr. Kopp moved that the Board oppose SB-901 unless the provision prohibiting State standards from being more restrictive than they were on January 1, 1979 is removed; seconded by Mrs. Boxer.

In discussion, Mr. Ferrito moved an amendment to the motion to also delete the provision which would require the ARB to hold hearings to review State standards which are more stringent than Federal standards; seconded by Mrs. Boxer; carried.

Mr. Kopp's motion including the amendment then carried.

SB-847 (Holmdahl) was presented.

Report On Wickland Oil Public Hearing In Martinez May 9, 1979

The APCO's report entitled, Wickland Oil Permit Application, dated May 15, 1979, was presented.

PUBLIC HEARING TO CONSIDER CONTROL OF EMISSIONS
FROM DRY CLEANING OPERATIONS (REGULATION 22)

Mr. Levaggi reviewed the APCO's report entitled, Proposed Regulation 22 - Control Of Organic Emissions From Petroleum Dry Cleaning Installations, dated May 9, 1979.

Ms. Silver arrived at 9:59 A.M.

Chairperson McCorquodale opened the Public Hearing at 10:00 A.M.

Mr. Powell presented the Clerk with nine Affidavits of Publication of Notice of Public Hearing.

The following made presentations:

Bob Greenberg
Representing dry cleaners in San Francisco

in comments, disputed the economic feasibility of the regulation; what is saved in solvent would be offset by increase in natural gas; costs for installation would be \$125-150,000; there would be job losses throughout the Bay Area; requested delay in adoption until the EPA statistics are available.

George Butcher
Valley Industrial Services

in comments, advised that the equipment he was using only returned 30% instead of 90%; that there were problems with the equipment; requested a delay in adoption until the EPA study was available.

Mr. Asera arrived at 10:15 A.M.

Jeffrey Gabe
Citizens For A Better Environment

in comments, stated reductions in emissions from dry cleaners were already being accomplished because said emissions were being used as off-sets, citing Wickland Oil Company and Pacific Gas and Electric Company.

Mr. Cooper expressed concern that the regulation not be adopted until it is determined that the equipment is appropriate. There was discussion on the cost, effectiveness and differences between the carbon absorption system and the perchlorethylene closed system.

Mr. Gallagher
Industrial Laundry

in comments, requested that date of adoption be delayed until the EPA study is available and guidelines for Stoddard solvent is available.

Karl Grossenbacher
West Contra Costa County Grey Panthers

in comments, requested that more data on carcinogenic effects be obtained.

After discussion, Mr. Kopp moved the adoption of Resolution No. 1135, In The Matter Of Adopting Regulation 22 Relating To The Control Of Organic Emissions From Petroleum Dry Cleaning Installations, §§100 through 301.5.3; seconded by Mrs. Boxer; carried on roll call:

AYES: ASERA, BACCIOCCO, BOXER, CHAPMAN, COOPER, DOETSCH, FERRITO, HASSELTINE, HILLIGOSS, KOPP, LANDIS, McCORQUODALE, RAYMOND, ROBERTS, SILVER.

NOES: NONE.

ABSENT: CORTESE, KETCHAM, OGAWA.

Mr. Kopp suggested that the Public Hearing on the balance of the regulation starting with §302 be continued for six months or until such time as the EPA study has been concluded and has been commented on by all interested parties, whichever is earlier, relying on the Staff to calendar it at the appropriate time.

There was discussion on emissions being used for trade-offs during the interim, after which Mr. Chapman moved the adoption of §§302 through 402.5 with an effective date in twelve years, and that the matter be agendized in six months to review the progress of the findings of the EPA study; seconded by Mr. Ferrito.

There was some opposition to the motion, after which Mr. Cooper moved a substitute motion to continue the Public Hearing on the balance of the regulation, starting with §302 until November 21, 1979; seconded by Mr. Kopp.

In discussion, Mr. Feldstein outlined the proposed New Source Review Regulation with respect to trade-offs. Mrs. Raymond suggested that the NSRR contain a provision to require the use of trade-offs for emissions from dry cleaners in greater proportion because proposed controls on dry cleaners may reduce emissions 90%.

There was discussion on the differences between the motion made by Mr. Chapman and that by Mr. Cooper and the effect each would have on the trade-off rule, and whether it was desirable to allow said emissions to be used for trade-offs during the next six months.

Mr. Cooper's substitute motion then carried on roll call:

AYES: ASERA, COOPER, DOETSCH, HASSELTINE, KOPP, LANDIS,
ROBERTS, SILVER.

NOES: BACCIOCCO, BOXER, CHAPMAN, FERRITO, HILLIGOSS,
McCORQUODALE, RAYMOND.

ABSENT: CORTESE, KETCHAM, OGAWA.

The Board recessed at 11:15 A.M. and reconvened at 11:25 A.M.

CONTINUATION OF PUBLIC HEARING ON
NEW SOURCE REVIEW (REGULATION 23)

Mr. Feldstein briefly reviewed his report entitled, New Source Review Rule, dated May 14, 1979 and presented a Correction Sheet For Proposed Regulation 23, Draft Dated, May 11, 1979, dated May 16, 1979.

There was discussion on the necessity for requiring NO_x off-set.

Mr. MrCorquodale opened the Public Hearing at 11:32 A.M.

The following made presentations:

Betty-Jane Kirwan
McCutchen, Black, Verleger & Shea, Counsel
Western Oil and Gas Association

presented a written statement proposing some amendments.

Karl Grossenbacher
West Contra Costa County Grey Panthers

Tom Merle
Bay Area Council

presented a written statement, requesting changes in the regulation.

Mr. Kopp left at 12:00 P.M.

Mrs. Boxer left at 12:15 P.M.

Jim Dehnert
BALIA

supported the proposed regulation.

Barry R. Flynn
Electric Superintendant
City of Santa Clara

supported the proposed regulation.

Dr. Bacciocco left at 12:29 P.M.

Jeff Gabe
Citizens For A Better Environment

presented a written statement requesting changes in the regulation.

The following communications were presented with respect thereto:

Douglas A. Cook
Manager, Environment and Energy
Memorex Corporation.

Wayne A. Bruce, Manager
East Bay Dischargers Authority

R. S. Cunningham
Exxon Company, U.S.A.

R. L. Hoenig
Chevron U.S.A., Inc.

It was agreed that the Public Hearing would be continued to June 6, 1979; to be the first item on the agenda.

CHAIRPERSON'S REPORT

Mr. Landis requested that the Staff be directed to seek legislation which would impose an additional fine on those motorists cited for driving in excess of 55 mph because the use of more fuel resulting therefrom increases NO_x emissions. Chairperson McCorquodale requested the Staff prepare a consideration report for the next Board meeting.

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The following reports were presented: Pending Referrals From Board Of Directors, dated May 2, 1979; Board Referrals To Advisory Council, dated May 2, 1979.

PUBLIC COMMENTS

There were none.

TIME AND PLACE OF NEXT MEETING

9:00 A.M., Wednesday, May 30, 1979, Richmond City Council Chambers, Civic Center and Macdonald Avenue, Richmond, California.

The meeting adjourned at 12:35 P.M.

Respectfully submitted,

Mabel Harder
Clerk of the District

4/58/
May 30, 1979

3

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

BOARD OF DIRECTORS SPECIAL MEETING

Wednesday
May 30, 1979
9:00 A.M.

Richmond City Council Chambers
Civic Center & Macdonald Avenues
Richmond, California

M I N U T E S

BOARD MEMBERS PRESENT:

Larry Asera, Sam Chapman, Ralph
P. Doetsch, Sr., Eric H. Hasseltine,
M. Patricia Hilligoss, Pamela
Ketcham, L. N. "Judge" Landis,
Daniel A. McCorquodale, Frank H.
Ogawa, Carol Ruth Silver.

BOARD MEMBERS ABSENT:

Edward J. Bacciocco, Jr., Barbara
Boxer, Fred F. Cooper, Dominic L.
Cortese, Thomas J. Ferrito, Quentin
Kopp, Valerie A. Raymond, Verne L.
Roberts.

STAFF MEMBERS PRESENT:

Milton Feldstein, Barney R. Griswold,
Jr., Peter Hess, Edward W. McHugh,
John F. Powell, Mabel Harder.

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JUN 5 1979

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Chairperson McCorquodale called the meeting to order at 9:10 A.M.
A quorum was not present.

Chairperson McCorquodale welcomed former Director James P. Kenny.

PRESENTATION ON OFF-SET POLICIES AND AIR QUALITY

Mr. Feldstein made a presentation on off-set policies and air quality, explaining the formation of ozone and the sources of emissions, specifically with respect to four counties.

Mrs. Hilligoss arrived at 9:20 A.M.

Dr. Hasseltine arrived at 9:24 A.M.

Mr. Asera arrived at 9:25 A.M.

Mr. Chapman arrived at 9:49 A.M.

The Board adjourned its formal meeting at 9:50 A.M. and made a tour of Chevron, U.S.A.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, June 6, 1979, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 12:05 P.M.

Respectfully submitted,

Mabel Harder
Clerk of the District

MH:jh

A 1581

June 6, 1979

3

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

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JUN 20 1979

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BOARD OF DIRECTORS REGULAR MEETING

Wednesday
June 6, 1979
9:30 a.m.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Larry Asera, Edward J. Bacciocco, Jr., Barbara Boxer, Sam Chapman, Fred F. Cooper, Dominic L. Cortese, Ralph P. Doetsch, Sr., Thomas J. Ferrito, Eric H. Hasseltine, M. Patricia Hilligoss, Pamela Ketcham, Quentin Kopp, L.M. "Judge Landis, Daniel A. McCorquodale, Frank H. Ogawa, Valerie Raymond, Verne L. Roberts, Carol Ruth Silver.

BOARD MEMBERS ABSENT:

None.

ADVISORY COUNCIL
MEMBERS PRESENT:

Douglas A. Cook, Jack C. Oppenheimer.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F. Bell, Hulan F. Brinkley, Daniel Goalwin, Peter Hess, Dario Levaggi, Edward W. McHugh, John F. Powell, Lewis H. Robinson, Mabel Harder.

- - -

Chairperson McCorquodale called the meeting to order at 9:40 a.m.

PUBLIC PRESENTATION

There were none.

APPROVAL OF MINUTES OF MAY 16 AND MAY 30, 1979

COMMUNICATIONS

Edward J. Bacciocco, Jr. Secretary

The following communications were presented:

Donald O. Lyman, M.D.
Deputy Director
Public and Environmental Health Division
Department of Health Services

acknowledging the Board's communication with respect to the Contra Costa Cancer Study, stating that all clearances had been obtained to appoint the Medical Epidemiologist to head up the study, and pointed out that attempts are being made to identify those employees faced with job loss for the remaining positions in the Study.

F. Hanley
Rosenblum Cellars

requesting that wineries be exempt from Regulation 2.

F. R. Bottomley, Supervisor
Environmental Control Engineer
Union Oil Company of California

commenting on Regulation 10 - Valves, Refineries - specifically with respect to §§301.3 and 301.5.

Arthur L. Vargas, Chairman
Alameda County Solid Waste Management Authority

commenting on Regulation 23 - New Source Review - specifically with respect to §6, Item e, establishing a 10 MW maximum power generating capacity exemption for cogeneration projects, requesting modification thereof to 50 MW.

R. F. Cunningham
Exxon Company, U.S.A.

Commenting on Regulation 10, §§301.3 and 301.5.

R. W. Davis
Chevron, U.S.A., Inc.

objecting to all the proposed requirements in Regulation 10 that would take effect July 1, 1981.

DIVISION MONTHLY REPORTS

The following reports were presented:

Director of Enforcement Monthly Activity Report for May, 1979; Director of Permit Services Monthly Activity Report, April 21, 1979 to May 20, 1979; Director of Technical Services Monthly Activity Report, April 18, through May 22, 1979; Director of Public Information Monthly Activity Report - April 25, 1979 - May 25, 1979; Status of Legal Matters- April 27, 1979 to May 25, 1979; Director of Administrative Services Appropriation Statement and Cash Position dated April 30, 1979.

AUTHORIZATION FOR CHAIRPERSON TO SIGN MOTOROLA COMMUNICATIONS SERVICE CONTRACT FOR 1979-1980

The APCO's report entitled, Authorization for Chairperson to Sign Contract in Excess of \$4,000.00 dated May 29, 1979, was presented.

AUTHORIZATION FOR OUT-OF-STATE TRAVEL

The APCO's report entitled, Out-of-State Travel, dated May 29, 1979, was presented.

Mr. Ogawa moved the adoption of the above consent calendar items as well as Resolution No. 1136, In the Matter of authorizing the Chairman of the Board of Directors to Sign a Purchase Order in Excess of \$4,000.00 for Radio Maintenance Services; seconded by Mr. Doesch; carried on roll call, with Mr. Ferrito abstaining in the approval of the May 30, 1979 minutes:

AYES: ASERA, CHAPMAN, COOPER, DOETSCH, FERRITO, HASSELTINE, HILLIGOSS, KETCHAM, KOPP, LANDIS, MCCORQUODALE, OGAWA, RAYMOND, ROBERTS.

NOES: NONE.

ABSENT: BACCIOCCO, BOXER, CORTESE, SILVER.

Boxer arrived at 9:41 a.m.

REPORT OF EXECUTIVE COMMITTEE

Daniel A. McCorquodale, Chairperson

Chairperson McCorquodale reported that the Committee met prior to the Board meeting and received a report from the District's Legislative Advocate, Mr. Jerry Desmond. He stated it was the recommendation of the Committee that Mr. Desmond's contract be extended to July 1, 1979 at a cost of \$7500.00 Mr. Roberts so moved; seconded by Mr. Ogawa; carried on roll call:

AYES: ASERA, BOXER, CHAPMAN, COOPER, DOETSCH, FERRITO, HASSELTINE, HILLIGOSS, KETCHAM, LANDIS,

McCORQUODALE, OGAWA, RAYMOND, ROBERTS.

NOES: NONE

ABSENT: BACCIOCCO, CORTESE, KOPP, SILVER

Mr. Cortese arrived at 9:45 A.M.

PUBLIC HEARING TO CONSIDER PERMIT FEE EXEMPTIONS FOR
WINE TANKS (REGULATION 2)

Mr. Feldstein reviewed his report, Report on Emissions From Winery Operations, dated May 29, 1979.

Chairperson McCorquodale opened the public hearing at 9:46 A.M.

Mr. Powell presented the Clerk with 9 Affidavits of Notice of Public Hearing.

The following made a presentation:

T. R. Weller, Sr.
Wine Institute Sanitarian and Safety Engineer
Wine Institute

presented a written statement supporting the Staff's recommendation.

A letter from F. Hanley, Rosenblum Cellars, dated May 14, 1979, requesting an exemption of wineries from the permit requirements, was presented.

Mr. Ogawa moved that the public hearing be closed at 9:47 A.M. and the adoption of Resolution No. 1137, In the Matter of Amending Regulation 2 Relative to Winery Operations; seconded by Mr. Chapman; carried on roll call:

AYES: ASERA, BOXER, CHAPMAN, COOPER, CORTESE,
DOETSCH, FERRITO, HASSELTINE, HILLIGOSS,
KETCHAM, LANDIS, McCORQUODALE, OGAWA, RAYMOND,
ROBERTS.

NOES: NONE.

ABSENT: BACCIOCCO, KOPP, SILVER.

PUBLIC HEARING TO CONSIDER PROHIBITION FOR SALE OF
NON-CERTIFIED VAPOR RECOVERY NOZZLES (REGULATION 2)

Mr. Feldstein reviewed his report entitled, Public Hearing to Consider Prohibition of Sale of Non-Certified Vapor Recovery Nozzles, dated May 29, 1979.

Dr. Bacciocco arrived at 9:50 a.m.

There was discussion on protecting the public from purchasing

nozzles which are not certified. Mr. Cooper suggested a change in the proposed amendment in line 2 to read: "or sell for use within the District, any".

Ms. Silver arrived at 9:55 A.M.

Chairperson McCorquodale opened the public hearing at 9:55 A.M.

Mr. Powell presented the Clerk with 9 Affidavits of Notice of Public Hearing.

The following made a presentation:

W. W. Hazlett
Hazlett Enterprises
Pebble Beach

advised that he was a supplier of spare parts for the Rudolph nozzle; that such nozzles had been on the market for four years and outlined its recovery capabilities and advised as to the testing thereof.

Mr. Landis moved that the public hearing be closed at 10:10 A.M.: seconded by Mrs. Boxer; carried.

Mrs. Boxer moved the adoption of Resolution No. 1138, In The Matter of Amending Regulation 2, Relating to Vapor Recovery; seconded by Dr. Hasseltine; carried on roll call:

AYES: ASERA, BACCIOCCO, BOXER, CHAPMAN, COOPER,
CORTESE, DOETSCH, FERRITO, HASSELTINE,
HILLIGOSS, KETCHAM, KOPP, LANDIS, MCCORQUODALE,
OGAWA, RAYMOND, ROBERTS, SILVER.

NOES: NONE.

ABSENT: NONE.

CONTINUATION OF PUBLIC HEARING ON NEW SOURCE REVIEW
(REGULATION 23)

Mr. Feldstein reviewed the status of the NSRR, and his report entitled, New Source Review Rule, dated May 14, 1979, stating that if there is not an approvable NSRR adopted by the Board the ARB will probably adopt a rule for the District; or if this is not done, EPA has advised that the sanctions required under the Clean Air Act for a non-approvable State Implementation Plan will go into effect. By means of slides, he reviewed the three concerns which Industry has with the Staff proposal:

1. NO_x off-sets.
2. Present Resource Recovery Projects exemption from off-set requirements.
3. Banking provisions.

There was discussion on the differences between the EPA requirements and that of the District with respect to banking. Mr. Cooper expressed concern that the Advisory Council had not reviewed BACT requirements for Resource Recovery Projects, stating this should be done before it is implemented.

Mr. Kopp advised that the City and County of San Francisco was developing some Resource Recovery Projects, and expressed concern about the effect the current proposal would have on them. Mr. Feldstein advised that the Sanitary Fill Company had submitted a permit application which was being reviewed under the terms of the present regulation. Mr. Feldstein reviewed a chart entitled, Emissions from Various Size Resource Recovery Projects. There was discussion on the necessity for such projects and its impact on air quality.

Chairperson McCorquodale opened the public hearing at 9:35 A.M.

The following made a presentation:

Mayor C. J. Corica
City of Alameda

in comments, stated the city of Alameda is proposing a 42 MW facility; that the goal of the City of Alameda is to create energy out of garbage. He read a letter addressed to the Board requesting a change in the exemption for Resource Recovery Projects from 10 MW to 50 MW.

Roger Boas
Chief Administrative Officer
City and County of San Francisco

in comments, requested the exemption for Resource Recovery Projects be 50 MW, pointing out that the City is exploring such a project because its lease with the City of Mountain View to dispose of garbage expires in 1983.

Dick Cottrell
Sanitary Fill Company

advised they had explored the matter of off-sets but that presently there were no answers to this.

Recess: 11:00 A.M.; reconvened: 11:10 A.M.

John F. McKenzie
Pacific Gas and Electric Company Siting Department

expressed concern with §2(c)1 - Off-set requirements for NO_x, and requested that it be deleted as well as §2(c)2; and requested a change in §2(c)3.

The Staff was requested to prepare a comparison report with respect to cost, MW and pollution between a coal-fired plant and a resource recovery plant.

Dolly Mack
Chevron U.S.A.

referred to their letter of May 16, 1979, specifically with respect to exempt facilities, requesting the last sentence of §1 be eliminated and §6(3) requiring BACT be deleted.

Larry Coleman
Chevron U.S.A.

stated the proposed regulation exceeds Federal and State requirements in the areas of applicability, BACT, off-sets, and timing.

Jeffrey Gabe
Citizens for a Better Environment

summarized his comments submitted May 16, 1979, basically supporting the proposed regulation and requesting additional requirements with respect to provisions for off-sets on-site first; APCO compelling a source to sell its off-sets to a prospective pollutor; specific time for off-sets to be used; banking; requested a change in §9(b)2 - Public notification; methylene chloride and 111 Trichloroethylene should be controlled.

Mr. Ogawa left at noon.

Supervisor Carol Ruth Silver

read into the record a letter from Mayor Dianne Feinstein, dated June 5, 1979, requesting an exemption for 50 MW Resource Recovery Facilities.

Theresa Stamely
ARB

stated they would be submitting to the Staff their concerns with the regulation; that it should address TSP precursors; that California Coastal Waters definition is not included nor emissions therefrom.

Gary Rubenstein
Chief of Energy Projects Branch
ARB

commented on NO_x being a precursor to oxidant, and NO_x trade-off requirements, requesting that it be retained.

Dr. C. S. Burton
Systems Applications, Inc.

presented a written statement, commenting specifically on §§2.C.1., 2.C.2., 2.C.3.

Mr. Kopp left at 12:32 P.M.

Art Vargas
Alameda County Solid Waste Management Board

referred to the two pilot Resource Recovery Projects in the County, and requesting a higher than 10 MW exemption.

Maerose Evans
Assistant to General Manager
Alameda City Bureau of Electricity

advised that the purpose of their 42 MW plant is to produce energy.

Leo Jed
Solid Waste Manager
City and County of San Francisco

presented a written statement requesting the Board to address the solid waste portions separate from cogeneration and that the 10 MW exemption should be increased to 50 MW.

Mrs. Hilligoss left at 12:56 P.M.

John Moscone, Vice-chairperson
California Solid Waste Management Board

in comments, stated that they were not opposed to BACT.

Army Polanski
Chief of Resource Recovery Branch
California Solid Waste Management Board

commented on the number of MW actually available from garbage generated. He suggested a 1250 MM btu/hr. cut-off.

Mr. Cooper left at 1:15 P.M.

The board recessed for lunch at 1:20 P.M., and reconvened at 1:45 P.M.

Directors Boxer and Hasseltine left at 1:20 P.M.

There were no further speakers and Chairperson McCorquodale closed the public hearing.

Mrs. Raymond left at 1:45 P.M.

Mr. Feldstein advised that another draft of the NSRR would be submitted to the Board prior to June 20, incorporating some changes proposed today.

There was discussion on the Board discussing the proposed regulation in a workshop forum.

Because some members of the public wished to speak further on the matter, Ms. Silver moved that the public hearing be reopened; seconded by Mr. Doetsch; carried.

The following made presentations:

Leonard Stefanelli
Sanitary Fill Company

commented on producing methanol from solid waste and pointed out the cost for so doing and advising that approximately 4% of the electrical needs of the city of San Francisco could be so produced.

Ms. Silver left at 1:52 P.M.

Dick Cottrell
Program Manager for Energy Project
Sanitary Fill Company

presented a written statement requesting that the exemptions for Resource Recovery Projects be changed to 50 MW.

Mr. Doetsch moved that the public hearing be closed; seconded by Dr. Bacciocco; carried.

Mr. Chapman moved that the public hearing be continued to June 20, 1979; seconded by Mr. Doetsch; carried.

Chairperson McCorquodale requested Mr. Feldstein to respond to PG&E's specific recommendations on the NSRR.

PUBLIC HEARING TO CONSIDER AN EMISSION LIMITATION AT
REFINERIES (REGULATION 10)

Chairperson McCorquodale continued the public hearing to June 20, 1979.

The APCO's report entitled, Proposed Rule on Valves, dated May 29, 1979, was presented.

The following communications were received:

R. W. Davis
Chevron U.S.A. Inc.

F. R. Bottomley
Supervisor
Environmental Control Engineer
Union Oil Company of California

R. F. Cunningham
Exxon Company, U.S.A.

REPORT OF AIR POLLUTION CONTROL OFFICER
Milton Feldstein

Report on Proposal for Legislation for Environmental Penalties
for Vehicles Cited for Excessive Speed

The APCO's report entitled, Excessive Speeds and Impact on Pollutant Emissions, dated June 1, 1979, was presented.

Legislative Report

The APCO's report entitled, Legislative Report, dated May 31, 1979, was presented.

Status Report on Recodified Regulations

There was no report.

CHAIRPERSON'S REPORT
Daniel A. McCorquodale

Chairperson McCorquodale reported on the tour of Chevron, U.S.A. on May 30, 1979.

- - -

Chairperson McCorquodale stated that there would be a Personnel Committee meeting on June 20, 1979, at 9:00 a.m.

The following reports were presented:

Pending referrals from Board of Directors dated May 17, 1979;
Board referrals to Advisory Council dated May 2, 1979.

PUBLIC COMMENTS

There were none.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, June 20, 1979, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 2:15 P.M.

Respectfully submitted,

Mabel Harder
Clerk of the District

MH/cp

A1581

June 20, 1979

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

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BOARD OF DIRECTORS REGULAR MEETING

Wednesday
June 20, 1979
9:30 A.M.

939 Ellis Street
San Francisco
California

M I N U T E S

BOARD MEMBERS PRESENT:	Edward J. Bacciocco, Jr., Barbara Boxer, Sam Chapman, Fred F. Cooper, Dominic L. Cortese, Ralph P. Doetsch, Sr., Eric H. Hasseltine, M. Patricia Hilligoss, Pamela Ketcham, Quentin Kopp, L.N. "Judge" Landis, Daniel A. McCorquodale, Frank H. Ogawa, Valerie Raymond, Verne L. Roberts, Carol Ruth Silver.
BOARD MEMBERS ABSENT:	Larry Asera, Thomas J. Ferrito.
ADVISORY COUNCIL MEMBER PRESENT:	Jack C. Oppenheimer.
STAFF MEMBERS PRESENT:	Milton Feldstein, Thomas F. Bell, Daniel Goalwin, Peter Hess, Dario Levaggi, Edward W. McHugh, John F. Powell, Lewis H. Robinson, Mabel Harder.

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Chairperson McCorquodale called the meeting to order at 9:45 A.M.

PUBLIC PRESENTATION

There were none.

APPROVAL OF MINUTES OF JUNE 6, 1979

Ms. Harder requested a correction on page 3, paragraph 14, line 5 to read: "extended to January 1, 1980 ---".

COMMUNICATIONS

Edward J. Bacciocco, Jr., Secretary

Bill Craig
Antioch

suggesting that a blanket burning permit be issued the first Monday of every month to allow all farmers, household owners and tenants to burn all the garden refuse they have accumulated, stating that hauling trash to the dump is costly in time, gasoline and money.

Santa Clara County Local Agency Formation Commission

Agenda for meeting of June 13, 1979.

Mayor Chuck Corica
City of Alameda

commenting on the New Source Review Regulation, and requesting that the exemption for resource recovery plants be 50MW.

Michael D. Brown
Brown, Vence & Associates
San Francisco

requesting that the 10MW exemption in the NSRR be removed.

Charlotte Rines
Program Manager
Urban Waste and Municipal Systems Branch
Office of Conservation and Solar Applications
Department of Energy
Washington, D.C.

suggesting that the NSRR be revised to exempt waste-to-energy plants up to 1500 T/Wk. from emissions off-set requirements, stating it would facilitate implementation of resource recovery in Northern California.

Karen L. Majors
Redevelopment Planner
City of San Pablo Redevelopment Agency

notifying their intent to amend the El Portal Community Redevelopment Project.

Thomas O. Merle
Associate Director
Bay Area Council

requesting that the Banking provision in the NSRR be revised, and submitting a proposed alternate section with respect thereto.

Senator S. I. Hayakawa

acknowledging receipt of the Board's resolution with respect to urging the DOE to amend its regulations with respect to jobbers passing on its costs for vapor recovery equipment.

Affirmative Action Council

Minutes of Special Meeting May 23, 1979

John Konen
Alameda

regarding emissions from the Alameda Naval Air Station

SET PUBLIC HEARING FOR JULY 18, 1979 FOR AMENDING
CONFLICT OF INTEREST CODE

The APCO's report entitled, Amendment to Conflict of Interest Code, dated June 14, 1979, was presented.

REPORT ON TRANSFER OF FUNDS FOR TEMPORARY EMPLOYEE

The APCO's report, Transfer of Funds for Temporary Employee, dated June 14, 1979, was presented.

APPROVAL OF CONTRACT FOR DISTRICT TO PROVIDE
BURN-DAY DATA FOR ARB

The APCO's report entitled, Approval of Contract to Furnish Burn-Day Data to ARB, dated June 14, 1979, was presented. Resolution No. 1139, In the Matter of Authorizing the Chairman of the Board of Directors to Execute an Agreement With the ARB for an Agricultural Burning Meteorological Forecasting System, was adopted.

APPROVAL OF CONTRACT FOR DISTRICT TO PROVIDE AIR
POLLUTANT MEASUREMENT DATA TO ARB

The APCO's report entitled, Approval of Contract to Furnish Air Monitoring Data to ARB, dated June 14, 1979, was presented. Resolution No. 1140, In the Matter of Authorizing the Chairman of the Board of Directors to Execute an Agreement with the ARB for Air Monitoring, was adopted.

REPORT ON PERMIT REFUNDS

The APCO's report entitled, Refunds for Overpayment of Permit Fees, dated June 14, 1979, was presented.

REPORT OF TRANSFER OF FUNDS TO PURCHASE EQUIPMENT

The APCO's report entitled, Transfer of Funds to Purchase Equipment, dated June 14, 1979, was presented.

DISTRICT AUDIT REPORT FOR 1977-78

The audit report entitled, Bay Area Air Pollution Control District, Report of Examination, dated June 30, 1978, from Cecchi and Scheibner, CPA, was presented.

On motion of Mr. Kopp; seconded by Dr. Bacciocco; the above Consent Calendar items were approved on roll call;

AYES: BACCIOTTO, CHAPMAN, COOPER, HILLIGOSS, KETCHAM, KOPP, LANDIS, MCCORQUODALE, OGAWA, RAYMOND, ROBERTS.

NOES: NONE.

ABSENT: ASERA, BOXER, CORTESE, DOETSCH, FERRITO, HASSELTINE, SILVER.

APPOINTMENT OF NOMINATING COMMITTEE FOR 1979-80 OFFICERS

Daniel A. McCorquodale, Chairperson

Chairperson McCorquodale appointed the following Directors to the Nominating Committee: Asera, Chapman, Ketcham, Hilligoss, McCorquodale.

Mr. Roberts moved that the Board approve the Nominating Committee appointments; seconded by Mrs. Raymond; carried.

Directors Cortese and Doetsch arrived at 9:50 A.M.

REPORT OF PERSONNEL COMMITTEE

Edward J. Bacciocco, Chairperson

Dr. Bacciocco reported that the Committee met prior to the Board meeting and recommends the adoption of the following resolution:

Resolution No. 1141, In the Matter of the District's Dental Insurance Plan.

and he so moved; seconded by Mr. Roberts; carried on roll call:

AYES: BACCIOCCO, CHAPMAN, COOPER, CORTESE, DOETSCH,
HILLIGOSS, KETCHAM, KOPP, LANDIS, MCCORQUODALE,
OGAWA, RAYMOND, ROBERTS.

NOES: NONE.

ABSENT: ASERA, BOXER, FERRITO, HASSELTINE, SILVER.

Dr. Bacciocco stated the Committee also recommends the adoption of the following resolutions:

Resolution No. 1142, In the Matter of Reorganizing and Reclassifying Certain Positions in the Administrative Division.

Resolution No. 1143, In the Matter of Reorganizing and Reclassifying Certain Positions in the Permit Services Division.

Dr. Bacciocco so moved; seconded by Mr. Kopp.

In discussion, Mr. Michael Rothenberg, Chief of Permit Evaluation, in a presentation to the Board requested that it not act on the reorganization plan until he had an opportunity to make a presentation on the proposal.

The motion carried on Roll Call:

AYES: BACCIOCCO, CHAPMAN, COOPER, CORTESE, DOETSCH,
HILLIGOSS, KETCHAM, KOPP, LANDIS, MCCORQUODALE
OGAWA, RAYMOND, ROBERTS.

NOES: NONE.

ABSENT: ASERA, BOXER, FERRITO, HASSELTINE, SILVER.

Directors Boxer and Hasseltine arrived at 9:55 A.M.

CONTINUATION OF PUBLIC HEARING TO CONSIDER AIR EMISSION
LIMITATION FOR VALVES AT REFINERIES - REGULATION 10

Mr. Hess reviewed the APCO's report entitled, Proposed Rule on Valves, dated June 14, 1979.

Ms. Silver arrived at 9:59 A.M.

Chairperson McCorquodale opened the public hearing at 10:00 A.M.

Mr. Powell furnished the Clerk nine Affidavits of Publication of Notice of Public Hearing.

There were no presentations.

Mr. Cooper moved that the public hearing be closed at 10:01 A.M. and the adoption of Resolution No. 1144, In the Matter of Adopting Regulation 10 Relating to Emissions from Valves at Refineries, and including therein that the Board recognizes that there is no evidence that requiring this is within RACT and if in the next two years it becomes clear it is beyond RACT, the Board will consider modification.

Mr. Chapman requested a division of the motion.

Mr. Cooper then moved that the public hearing be closed; seconded by Mr. Ogawa; carried.

Mr. Cooper moved that the following wording be added to the resolution adopting Regulation 10:

"If, in the next two years, it is demonstrated that the 75,000 ppm limit set forth in Regulation 10 cannot be achieved by reasonably available control technology, this Board intends to reconsider this limit."

Seconded by Dr. Bacciocco.

In discussion, it was pointed out that there were certain goals that the District needed to achieve; that the proposed regulation was acceptable to industry without the additional wording.

Mr. Cooper's motion then carried on roll call:

AYES: BACCIOCCO, BOXER, COOPER, DOETSCH, HASSELTINE, HILLIGOSS, KOPP, LANDIS, OGAWA, RAYMOND, ROBERTS, SILVER.

NOES: CHAPMAN, CORTESE, KETCHAM, MCCORQUODALE.

ABSENT: ASERA, FERRITO.

Mr. Landis moved the adoption of Resolution No. 1144, In the Matter of Adopting Regulation 10 Relating to Emissions From Valves at Refineries, as amended by Mr. Cooper; seconded by Mr. Cooper; carried on roll call.

AYES: BACCIOCCO, BOXER, CHAPMAN, COOPER, CORTESE, DOETSCH, HASSELTINE, HILLIGOSS, KETCHAM, KOPP, LANDIS, MCCORQUODALE, OGAWA, RAYMOND, ROBERTS, SILVER.

NOES: NONE.

ABSENT: ASERA, FERRITO.

DISCUSSION OF NEW SOURCE REVIEW (REGULATION 23)

Mr. Feldstein reviewed his report, New Source Review Regulation, dated June 14, 1979. He reviewed the Alternatives to various sections requesting that alternative sections on off-set ratios, §3(b) (c) and (d) be adopted; and opposed

Alternative §2(c)1, the elimination of NO_x off-sets in non-attainment areas for ozone, and §3(f), allowing off-sets to be used if application is filed just prior to changes in Regulation; and did not oppose the recommended amendments proposed by the Bay area Council to §4(a) and 4(d), on Banking. Mr. Feldstein read from the Bay Area Council letter dated June 15, 1979 regarding its proposal. Mr. Feldstein pointed out that banking was being pioneered and that whether banked materials were used should be determined by whether the District was on the Reasonable Further Progress line. There was discussion on the banking provisions and the merits of the Staff's proposal and that of the Bay Area Council.

Mr. Feldstein reviewed §6(e) on Cogeneration, stating that if the Board eliminated the NO_x off-set requirements, any concern for resource recovery projects would be moot. He referred to the proposed §2(c)2 on NO₂, stating PG&E is requesting modeling be allowed for NO_x also, and that NO_x be eliminated as an off-set in the ozone area. He stated the Staff did not recommend this alternative.

There was discussion on off-set ratios

The APCO's report entitled, New Source Review Regulation, dated June 15, 1979, was presented. The following communications with respect to the NSRR were presented:

Michael D. Brown
Brown, Vence, & Associates.

Charlotte Rines
Department of Energy.

Mayor Chuck Corica
City of Alameda.

State Solid Waste Management Board
Addendum to testimony presented June 5, 1979.

Mr. Landis moved that the Board adopt Alternate §2(c)1, draft dated June 11, 1979, Elimination of NO_x Off-sets in Non-attainment areas for Ozone; seconded by Dr. Hasseltine.

There was discussion on the energy crisis, the costs for off-sets; the necessity for maintaining air quality, the public interest, and the modeling study being done by PG&E on NO_x. Mr. Robinson reviewed modeling with respect to the aggregate basis, stating that PG&E modeling was an episode approach and that the NO₂ standard is an annual average standard and is more complex. There was discussion on the sources of NO_x, that the NO_x off-set was a hydrocarbon strategy and was too costly.

The motion carried on roll call:

AYES: BACCIOCCO, COOPER, CORTESE, HASSELTINE,
HILLIGOSS, KOPP, LANDIS, OGAWA, ROBERTS.

NOES: BOXER, CHAPMAN, DOETSCH, KETCHAM, MCCORQUODALE,
RAYMOND, SILVER.

ABSENT: ASERA, FERRITO.

There was discussion on Alternative §§3(b) (c) and (d), off-set ratios. Mr. Chapman moved the adoption of said sections in draft dated June 13, 1979; seconded by Mr. Doetsch, carried.

Mr. Landis moved the adoption of the original §3(f), on off-set requirements in Regulation 23 draft dated June 11, 1979; seconded by Mr. Ogawa; carried.

Dr. Hasseltine moved the adoption of the Alternative §§4(a) through 4(g), draft dated June 4, 1979, on Banking, with an addition to §4(d), as follows:

"However, in no case shall banked reductions be subject to a moratorium for more than two consecutive years or an aggregate period in excess of three years."

seconded by Mr. Landis.

Dr. Bacciocco moved a substitute motion to adopt Alternative §4(a) through 4(g), on Banking, draft dated June 4, 1979 by the Staff; seconded by Mrs. Boxer; carried on roll call:

AYES: BACCIOCCO, BOXER, CORTESE, DOETSCH, HILLIGOSS,
KETCHAM, KOPP, LANDIS, MCCORQUODALE, OGAWA,
RAYMOND.

NOES: CHAPMAN.

ABSTAINING: COOPER, HASSELTINE, ROBERTS, SILVER.

ABSENT: ASERA, FERRITO.

Mr. Cooper moved the following wording be added to §4(d) on Banking:

However, in no case shall banked reductions be subject to a moratorium for more than two consecutive years or an aggregate period in excess of three years;

seconded by Mr. Roberts; failed on roll call:

AYES: COOPER, CORTESE, HASSELTINE, KOPP, LANDIS,
OGAWA, ROBERTS.

NOES: BACCIOCCO, BOXER, CHAPMAN, DOETSCH, HILLIGOSS,
KETCHAM, MCCORQUODALE.

ABSTAINING: RAYMOND, SILVER.

ABSENT: ASERA, FERRITO.

Ms. Silver moved the vote be rescinded and recalled; seconded by Mr. Cooper; carried on roll call:

AYES: BACCIOCCO, COOPER, CORTESE, HASSELTINE, KOPP, LANDIS, OGAWA, ROBERTS, SILVER.

NOES: BOXER, CHAPMAN, DOETSCH, HILLIGOSS, KETCHAM, McCORQUODALE, RAYMOND.

ABSENT: ASERA, FERRITO.

The revoting on Mr. Cooper's motion on adding a sentence to §4(d) failed on roll call:

AYES: COOPER, CORTESE, HASSELTINE, KOPP, LANDIS, OGAWA, ROBERTS, SILVER.

NOES: BACCIOCCO, BOXER, CHAPMAN, DOETSCH, HILLIGOSS, KETCHAM, McCORQUODALE, RAYMOND.

ABSENT: ASERA, FERRITO.

Mrs. Raymond moved to amend §2(c)1, to keep NO_x off-sets, but to provide that the off-set would be half of what would have been required and adding the following sentence:

"However in no case shall banked reductions be subject to a moratorium for more than two consecutive years or an aggregate period in excess of three years."

Seconded by Mr. Chapman.

Mr. Cooper moved a substitute motion to adopt Regulation 23 with the amendments approved thus far; under Resolution No. 1145, In the Matter of Adopting Regulation 23, Relating to New Source Review; seconded by Mr. Ogawa.

After discussion, Mr. Cooper amended his motion to delete §6(e), the exemption for cogeneration projects of 10 MW, which amendment was acceptable to Mr. Ogawa.

After further discussion, Mr. Cooper amended his motion to delete §2(c)2, with respect to NO₂, which amendment was acceptable to Mr. Ogawa.

Mr. Cooper's motion failed on roll call:

AYES: COOPER, CORTESE, HASSELTINE, HILLIGOSS, KOPP, LANDIS, OGAWA, ROBERTS, SILVER.

NOES: BACCIOCCO, BOXER, CHAPMAN, DOETSCH, KETCHAM, McCORQUODALE, RAYMOND.

ABSENT: ASERA, FERRITO.

Ms. Silver moved to amend Mrs. Raymond's motion to adopt Alternative §6(e), draft dated June 11, 1979, with respect to cogeneration, resource recovery projects; seconded by Mrs. Boxer.

Mr. Kopp requested a severance of the motion and it was so agreed,

Mrs. Raymond's motion then failed on roll call:

AYES: BOXER, CHAPMAN, DOETSCH, KETCHAM, McCORQUODALE, RAYMOND, SILVER.

NOES: BACCIOCCO, COOPER, CORTESE, HASSELTINE, HILLIGOSS, KOPP, LANDIS, OGAWA, ROBERTS.

ABSENT: ASERA, FERRITO.

Ms. Silver's motion with respect to Alternative §6(e) then carried on roll call:

AYES: BACCIOCCO, BOXER, COOPER, CORTESE, HASSELTINE, HILLIGOSS, KETCHAM, KOPP, LANDIS, OGAWA, RAYMOND, ROBERTS, SILVER.

NOES: CHAPMAN, DOETSCH, McCORQUODALE.

ABSENT: ASERA, FERRITO.

Dr. Hasseltine moved to adopt Regulation 23 with the amendments passed thus far, under Resolution No. 1145, In the Matter of Adopting Regulation 23 Relating to New Source Review; seconded by Ms. Silver; carried on roll call:

AYES: BACCIOCCO, COOPER, CORTESE, HASSELTINE, HILLIGOSS, KOPP, LANDIS, OGAWA, ROBERTS, SILVER.

NOES: BOXER, CHAPMAN, DOETSCH, KETCHAM, McCORQUODALE, RAYMOND.

ABSENT: ASERA, FERRITO.

REPORT ON PROPOSED AIR QUALITY FORECAST PROGRAM

The APCO's report entitled, Pollutants Standards Index, dated June 14, 1979, was presented.

REPORT OF AIR POLLUTION CONTROL OFFICER Milton Feldstein

Legislative Report

Status Report on AB-8

There were no reports nor discussions.

CHAIRPERSON'S REPORT
Daniel A. McCorquodale

The following reports were presented:

Pending Referrals from Board of Directors, dated
June 7, 1979.

Board Referrals to Advisory Council, dated May 2,
1979.

PUBLIC COMMENTS

There were none.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, July 11, 1979, 939 Ellis Street, San
Francisco, California. After discussion, it was agreed that
this meeting would be adjourned and combined with the meeting
to be held July 18, 1979, 9:30 A.M.

The meeting adjourned at 12:35 P.M.

Respectfully submitted,

Mabel Harder
Clerk of the District

A1581

July 18, 1979

3

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
July 18, 1979
9:30 a.m.

939 Ellis Street
San Francisco
California

M I N U T E S

BOARD MEMBERS PRESENT:

Larry Asera, Edward J. Bacciocco,
Jr., Barbara Boxer, Sam Chapman,
Fred F. Cooper, Dominic L. Cortese,
Ralph P. Doetsch, Thomas J.
Ferrito, Eric H. Hasseltine, M.
Patricia Hilligoss, Pamela Ketcham,
L.N. "Judge" Landis, Daniel A.
McCorquodale, Frank H. Ogawa, Verne
L. Roberts, Carol Ruth Silver.

BOARD MEMBERS ABSENT:

Quentin Kopp, Valerie Raymond.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F. Bell,
Hulan F. Brinkley, Daniel Goalwin,
Richard W. Grieves, Peter Hess,
Terry Lee, John F. Powell, Lewis
H. Robinson,

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Chairperson McCorquodale called the meeting to order at 9:30 a.m.

PUBLIC PRESENTATION

There were none.

APPROVAL OF MINUTES OF JUNE 20 AND JULY 11, 1979

COMMUNICATIONS

Edward J. Bacciocco, Jr.
Secretary

The following communications were presented:

Mark Green
Environmental Engineer
Raychem Corporation

supporting the Bay Area Council's proposed amendments to Regulation 23.

Michael Lawson
Acting City Manager
City of Berkeley

proposing an amendment to Regulation 23, §6e, exemptions for Resource Recovery Project.

Concerned Engineers

memorandum to the Personnel Committee expressing concern regarding the recent promotional selection in the Permit Division and requesting the Personnel Committee to investigate the APCO's selection practices.

Concerned Engineers

memorandum to the Personnel Committee adding their names to the memorandum to the Personnel Committee on promotional selection.

Leonard Clayton

memorandum to the Personnel Committee with respect to the re-organization of the Engineering Division to the Permit Services Division, and the "acting" appointments to the positions of Chief of New Source Review and Chief of Permit Operations, expressing concern with respect to the selection procedures.

Paul R. Hay
Executive Director
Santa Clara County Service Station Dealers Association

requesting Regulation 2 be amended to allow the use of Rudolph nozzles through the end of September because of the delay in securing second generation vapor recovery nozzles.

S. Robert Connor
Auditor-Controller
County of Marin

requesting the District to require a "Management Letter" when seeking bids for annual audits and enclosing a copy of the "Management Letter" when submitting the Financial Audit Report to his office.

Affirmative Action Council

minutes of Regular meeting of June 7, 1979.

Elva Edger, President
League of Women Voters of the Bay Area

submitting a copy of their Seventh Edition of Decision Makers.

EPA Bulletin entitled, Environ-Meet.

Jack Cochran
Chairman, Environmental Action Committee
Peninsula Manufacturers Association

copy of letter to Mr. Feldstein regarding PMA being put on various mailing lists.

James G. Ross
Product Manager
Hillyard Chemical
St. Joseph, Missouri

requesting information on the District's regulations on architectural coatings and organic solvent emissions.

Richard Fahey
Diablo Petroleum, Inc.
Martinez

copy of letter to Shields, Harper & Co. with respect to the Emco Wheaton A 3033 nozzle, as being unsatisfactory.

DIVISION MONTHLY REPORTS

The following reports were presented;

Director of Enforcement Monthly Activity Report for June, 1979, dated July 26, 1979; Director of Permit Services Monthly Activity Report, May 21, 1979 to June 20, 1979; Director of Technical Services Monthly Activity Report, May 23 through June 19, 1979; Director of Public Information Monthly Activity Report - May 26, 1979 - June 29, 1979; Director of Planning Monthly Activity Report, May 23 through June 19, 1979; Status of

Legal Matters - May 28, 1979 to June 29, 1979; Director of Administrative Services Appropriation Statement and Cash Position - May 31, 1979.

SET PUBLIC HEARING FOR SEPTEMBER 5, 1979 TO CONSIDER
ADOPTION OF RECODIFIED REGULATIONS

The APCO's report entitled, Set Public Hearing for Recodified Regulations, dated July 11, 1979, was presented.

SET PUBLIC HEARING FOR SEPTEMBER 19, 1979 TO CONSIDER AMEND-
MENTS FOR CORRECTIONS TO REGULATION 2, SECTION 1302.22
STORAGE TANKS

SET PUBLIC HEARING FOR SEPTEMBER 19, 1979 TO CONSIDER
AMENDMENTS TO EMERGENCY EPISODE PLAN (REGULATION 5)

The APCO's report entitled, Set Public Hearings to Amend District Regulations, dated July 12, 1979, was presented.

SET PUBLIC HEARING FOR OCTOBER 3, 1979 TO CONSIDER ADOPTION OF
REGULATION FOR CONTROL OF EMISSIONS FROM LIME PLANTS (REG 7-RULE 22)

SET PUBLIC HEARING FOR OCTOBER 3, 1979 TO CONSIDER AMENDMENTS
TO REGULATION 7, RULE 2, FOSSIL FUEL FIRED STEAM GENERATORS

The APCO's report entitled, Set Public Hearings for New Source Performance Standards Regulations, dated July 11, 1979 was presented.

SET PUBLIC HEARING FOR NOVEMBER 7, 1979 TO CONSIDER ADOPTION OF
REGULATION TO CONTROL EMISSIONS FROM GRAPHIC ARTS COATINGS
OPERATIONS (REG 24)

SET PUBLIC HEARING FOR NOVEMBER 21, 1979 TO CONSIDER ADOPTION OF
REGULATION TO CONTROL EMISSIONS FROM PERCHLORETHYLENE DRY CLEANING
OPERATIONS (REG 27)

SET PUBLIC HEARING FOR DECEMBER 5, 1979 TO CONSIDER ADOPTION OF
REGULATION TO CONTROL EMISSIONS FROM REFINERY LEAKS (REG 26)

SET PUBLIC HEARING FOR DECEMBER 19, 1979 TO CONSIDER ADOPTION OF
REGULATION TO CONTROL EMISSIONS FROM MISCELLANEOUS METAL PARTS
COATING OPERATIONS (REG 25)

The APCO's report entitled, Set Public Hearings for EPA "Reasonably Available Control Technology" (RACT), dated July 11, 1979, was presented.

APPROVAL OF REFUND OF HEARING BOARD FEE

The APCO's report entitled, Approval of Refund for Withdrawal of Variance Application, dated July 11, 1979, in connection with the Rheem Manufacturing Company, was presented.

APPROVAL OF \$752,400 AIR MONITORING GRANT FROM E.P.A.

The APCO's report entitled, Approval of EPA Air Monitoring Grant, dated July 12, 1979, was presented.

On motion of Mrs. Boxer; seconded by Mr. Doetsch; the above Consent Calendar Items were approved unanimously.

REPORT OF NOMINATING COMMITTEE AND ELECTION OF 1979-80
BOARD OFFICERS

Daniel A. McCorquodale, Chairperson

Chairperson McCorquodale reported that the Nominating Committee comprised of Directors Asera, Chapman, Hilligoss, Ketcham, and himself met on July 11 and recommended that the following Directors be elected as officers for the 1979-80 fiscal year:

Barbara Boxer - Chairperson
Edward J. Bacciocco - Vice Chairperson
Thomas J. Ferrito - Secretary

Mr. Ogawa moved that the nominations be closed and that the Board adopt the recommendations of the Nominating Committee; seconded by Mr. Doetsch; carried.

Directors Cortese and Hasseltine arrived at 9:35 a.m.

PRESENTATION OF PROPOSED 1979-80 BUDGET

The Proposed 1979-80 Budget was presented, and Mr. Feldstein briefly reviewed his report, Proposed Budget for 79/80, dated July 16, 1979.

Mr. Chapman arrived at 9:40 a.m.

Mr. Feldstein requested that the Budget be forwarded to the Budget and Finance and Personnel Committees for review.

Mrs. Hilligoss moved that the Proposed Budget be approved as a preliminary budget and that it be sent to the Budget and Finance and Personnel Committees for review; seconded by Mr. Cortese; carried.

Dr. Bacciocco arrived at 9:41 a.m.

Mrs. Boxer, as the new Chairperson of the Board, presented a gavel to Mr. McCorquodale and expressed the Board's appreciation.

CONTINUATION OF PUBLIC HEARING TO CONSIDER AN UPPER STACK SO₂
LIMITATION FOR ACID PLANTS AND SULFUR PLANTS (REGULATION 2)

Mr. Feldstein requested that the public hearing be continued to November 7, 1979, since the present SO₂ study has not been completed. Mr. Landis so moved; seconded by Mr. Ogawa; carried.

PUBLIC HEARING TO CONSIDER AMENDMENTS TO CONFLICT OF INTEREST CODE

The APCO's report entitled, Hearing to Consider Amendments to Conflict of Interest Code, dated July 12, 1979, was presented. Mr. Powell reviewed the necessity for amending the Code resulting from deletions and additions of positions.

Mr. Ogawa moved the adoption of Resolution No. 1146, In the Matter of Amending the District's Conflict of Interest Code; seconded by Mrs. Ketcham; carred on roll call:

AYES: BACCIOCCO, BOXER, CHAPMAN, COOPER, CORTESE,
DOETSCH, FERRITO, HASSELTINE, HILLIGOSS,
KETCHAM, LANDIS, OGAWA, ROBERTS.

NOES: NONE.

ABSENT: ASERA, KOPP, MCCORQUODALE, RAYMOND, SILVER.

REPORT ON AIR QUALITY FORECAST PROGRAM

Ms. Lee reviewed the new recording system for air pollution levels, using visual aids in her presentation, and pointing out that this new system will conform to that developed by EPA.

REPORT OF AIR POLLUTION CONTROL OFFICER Milton Feldstein

EPA Sanctions Relating to an Inspection/Maintenance Program

Mr. Feldstein pointed out that the State Implementation Plan has not yet been approved by EPA because there is not an Inspection and Maintenance Plan in the District and that Regulation 23, New Source Review, has not been approved by the ARB; that the Clean Air Act requires that there be an approved SIP by July 1, 1979, and failing that, the EPA can impose sanctions until such time as an SIP is approved; that said sanctions include prohibiting the District from issuing a permit to a major direct source, and the withholding of Federal funds.

After discussion, Mr. Cooper moved that the Chairperson direct a letter to the Governor, Speaker McCarthy, and Senator Mills, outlining the problem and urging that legislation be passed with respect to an I&M Plan, sending each Director a copy of said letter requesting them to contact their legislators; seconded by Mr. Landis; carried.

Mr. Asera arrived at 9:50 a.m.

Mr. Powell reviewed the report entitled, Status Report on Legislation - 1979-80 Legislative Session, dated June 1, 1979, as well as SCR-32 (Montoya), stating that the Staff recommends that the Board endorse AB-474 (Campbell) - with respect to vapor recovery systems. Mr. Landis moved that the Board adopt the Staff's recommendation; seconded by Mr. Roberts; carried.

Ms. Silver arrived at 10:05 a.m.

CHAIRPERSON'S REPORT
Barbara Boxer

On motion of Ms. Silver; seconded by Mr. Cooper; adopted Resolution No. 1147, In the Matter of Expressing the Appreciation of the Board of Directors of the BAAQMD to Charles Santana for His Services; carried on roll call;

AYES: ASERA, BACCIOCCO, BOXER, CHAPMAN, COOPER, CORTESE, DOETSCH, FERRITO, HASSELTINE, HILLIGOSS, KETCHAM, LANDIS, McCORQUODALE, OGAWA, ROBERTS, SILVER.

NOES: NONE.

ABSENT: KOPP, RAYMOND.

The following reports were presented:

Pending Referrals from Board of Directors, dated June 7, 1979
Board Referrals to Advisory Council, dated May 2, 1979.

PUBLIC COMMENTS

There were none.

TIME AND PLACE OF NEXT MEETING

9:30 a.m., August 1, 1979, 939 Ellis Street, San Francisco, California.

EXECUTIVE SESSION WITH DESIGNATED REPRESENTATIVES PURSUANT
TO GOVERNMENT CODE SECTION 54957.6

The Board went into Executive Session at 10:20 a.m.

The meeting adjourned at 11:05 a.m.

Respectfully submitted,

Mabel Harder
Clerk of the District

MH/cp

Aug. 1, 1979..

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

GOVERNMENT
LIBRARY

70 1979

BOARD OF DIRECTORS REGULAR MEETING

UNIVERSITY OF CALIFORNIA

Wednesday
August 1, 1979
9:30 A.M.

939 Ellis Street
San Francisco
California

M I N U T E S

BOARD MEMBERS PRESENT:

Edward J. Bacciocco, Jr., Barbara Boxer, Sam Chapman, Fred F. Cooper, Dominic L. Cortese, Ralph P. Doetsch, Sr., Thomas J. Ferrito, Eric H. Hasseltine, M. Patricia Hilligoss, L.N. "Judge" Landis, Daniel A. McCorquodale, Frank H. Ogawa, Valerie Raymond, Verne L. Roberts, Carol Ruth Silver.

BOARD MEMBERS ABSENT:

Larry Asera, Pamela Ketcham, Quentin Kopp.

HEARING BOARD MEMBER
PRESENT:

Rodney R. Beard, M.D.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F. Bell, Hulan F. Brinkley, Daniel Goalwin, Peter Hess, Dario Levaggi, John F. Powell, Lewis H. Robinson, Mabel Harder.

- - - -

Chairperson Boxer called the meeting to order at 9:40 A.M.

PUBLIC PRESENTATION

There were none.

APPROVAL OF MINUTES OF JULY 18, 1979

COMMUNICATIONS

Thomas J. Ferrito, Secretary

The following communications were presented:

EPA

information on an Inspection and Maintenance Program.

Affirmative Action Council

Notice of Affirmative Action Council Hearing regarding a discrimination complaint by several employees.

Congressman Don Edwards

concerning the passthrough by resellers of the increased cost of installing vapor recovery systems, and enclosing a copy of the DOE's proposal to so include in the Rules.

T.M. Gerow, P.H.E.
Director of Environmental Health
Local Solid Waste Enforcement Agency
Contra Costa County Health Department

copy of letter to Mayor Verne L. Roberts responding to inquiries regarding the Contra Costa Waste Service, or G.B.F. solid waste disposal facility located adjacent to the City of Antioch.

Alan L. Schlosser
Staff Counsel
American Civil Liberties Union of Northern California, Inc.

copy of letter to Mr. Feldstein regarding a reprimand given to Mr. Fred V. Hall following a televised interview of him conducted by Channel 7.

John W. Edwards
Edwards Enterprises
Visalia

advising that his firm now manufactures the air processing system known as "Humid-A-Cycle".

Senator S.I. Hayakawa

enclosing a response received from the DOE regarding the pass-through by resellers of the increased cost of installing vapor recovery systems.

Assemblyperson Leo T. McCarthy

regarding AB-1111, with respect to Office of Administrative Hearings, and urging support thereof.

DIVISION MONTHLY REPORTS

The following reports were presented:

Director of Enforcement Monthly Activity Report for July, 1979; Director of Permit Services Monthly Activity Report, June 21, 1979 to July 20, 1979; Director of Technical Services Monthly Activity Report, June 20 Through July 17, 1979; Director of Planning Monthly Activity Report, June 20 through July 17, 1979; Director of Public Information Monthly Activity Report, June 30, 1979 - July 23, 1979; Status of Legal Matters - July 2, 1979 to July 26, 1979.

SET PUBLIC HEARING FOR OCTOBER 3, 1979 TO CONSIDER CONTROL OF EMISSIONS FROM GRAIN ELEVATORS (REG 7, RULE 23)

SET PUBLIC HEARING FOR NOVEMBER 7, 1979 TO CONSIDER CONTROL OF EMISSIONS FROM GEOTHERMAL POWER PLANTS (REG 28)

The APCO's report entitled, Set Public Hearings for EPA "Reasonably Available Control Technology" (RACT), dated July 25, 1979, was presented.

APPROVAL OF REFUND OF HEARING BOARD FEE

The APCO's report entitled, Notice of Refund of Hearing Board Fee, dated July 25, 1979, was presented.

APPROVAL OF EPA GRANT APPLICATION

The APCO's report entitled, Approval of EPA Grant for 1979-80, dated July 24, 1979, was presented.

Adopted Resolution No. 1148, In the Matter of Authorizing the Air Pollution Control Officer to Apply for a Grant from the U.S. Environmental Protection Agency.

NOTICE OF PROPOSED CHANGE IN ADMINISTRATIVE CODE REGARDING MEMBERSHIP OF COMMITTEES

The APCO's report entitled, Notice of Intent to Amend Administrative Code Relating to Membership of Committees, dated July 24, 1979, was presented.

On motion of Mr. Doetsch; seconded by Dr. Bacciocco; the above Consent Calendar Items were approved on roll call;

AYES: BACCIOCO, BOXER, CHAPMAN, COOPER, DOETSCH,
FERRITO, HILLIGOSS, LANDIS, MCCORQUODALE,
OGAWA, RAYMOND, ROBERTS.

NOES: NONE.

ABSENT: ASERA, CORTESE, HASSELTINE, KETCHAM, KOPP, SILVER.

Mr. Cortese arrived at 9:41 A.M.

REPORT OF EXECUTIVE COMMITTEE
Barbara Boxer, Chairperson

Chairperson Boxer reported that the Committee met prior to the Board meeting at which they discussed an Inspection and Maintenance Program, requesting the Ad Hoc Committee for Closer Liaison with ARB to develop a program for presentation to the Board for approval on September 5, after which the proposed program will be discussed with the ARB. She stated that arrangements are being made for the Directors to meet with various legislators at a lunch in Sacramento on September 12, as well as with members of the ARB to discuss an I & M program, the energy crisis and its effects on clean air and funds for public transportation.

Chairperson Boxer stated the Committee recommends that the District inform the cities and counties of its rules and regulations, and Mr. Doetsch so moved; seconded by Mr. Ogawa; carried.

Chairperson Boxer advised that the Committee directed her to write to the Executive Officer of the ARB requesting that it act quickly on the District's Regulation 23.

Chairperson Boxer stated the Committee also discussed the program for this Fiscal year; that it received a report on legislation and agreed that the District should take a leadership role in educating the public with respect to legislation affecting the District; that the Ad Hoc Committee on Legislation would be compiling statistics and issuing reports to the public; that the Staff will present a seminar to the Board on coal-fired plants.

Ms. Silver arrived at 9:54 A.M.

Mr. McCorquodale pointed out that there was a need for the ICC to reopen its hearing on the application of Southern Pacific Transportation Company to discontinue its service between San Francisco and San Jose to consider further evidence of the PUC, and he moved the adoption of Resolution No. 1149 reaffirming the Board's position in opposition to the discontinuation of the service; seconded by Mr. Chapman; carried on roll call:

AYES: BACCIOCCO, BOXER, CHAPMAN, COOPER, CORTESE,
DOETSCH, FERRITO, HILLIGOSS, LANDIS MCCORQUODALE,
OGAWA, RAYMOND, ROBERTS, SILVER.

NOES: NONE.

ABSENT: ASERA, HASSELTINE, KETCHAM, KOPP.

Chairperson Boxer stated that the Executive Committee recommends that the Board adopt a general resolution favoring public transportation and alternatives to single-purpose vehicles, such as van-pools, carpools, and bike lanes. Mr. Landis moved that Mr. Powell prepare such a resolution for adoption; seconded by Mr. Ogawa; carried.

Chairperson Boxer left at 10:00 A.M.

REPORT OF PERSONNEL COMMITTEE
Thomas J. Ferrito, Chairperson

Mr. Ferrito briefly reviewed the Report of Personnel Committee, dated August 1, 1979, and moved the adoption of the recommended reorganizations of the Enforcement Division and Public Information and Education Division contained therein; seconded by Mr. Ogawa; carried.

QUARTERLY REPORT OF HEARING BOARD
Rodney R. Beard, M.D.

The Hearing Board Quarterly Report April 1, 1979 - June 30, 1979, dated July 2, 1979, was presented. Dr. Beard advised that presently the Hearing Board was involved in two Appeals concerning Kaiser Cement and Gypsum Corporation, and Wickland Oil Company permits.

REPORT OF AIR POLLUTION CONTROL OFFICER
Milton Feldstein

There was no report.

CHAIRPERSON'S REPORT
Barbara Boxer

The following reports were presented:

Pending Referrals from Board of Directors, dated July 19, 1979; Board Referrals to Advisory Council, dated May 2, 1979.

PUBLIC COMMENTS

There were none.

Dr. Hasseltine arrived at 10:03 A.M.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, August 15, 1979, 939 Ellis Street, San Francisco, California.

EXECUTIVE SESSION WITH DESIGNATED REPRESENTATIVES PURSUANT
TO GOVERNMENT CODE SECTION 54957.6

The Board went into Executive Session at 10:05 a.m.

The meeting adjourned at 12:00 noon. .

Respectfully submitted,

Mabel Harder
Clerk of the District

MH/cp

**BAY AREA
AIR QUALITY MANAGEMENT DISTRICT**

939 Ellis Street
San Francisco, California 94109



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 939 Ellis Street
 San Francisco, California 94109
 771-6000

OFFICE OF GOVERNMENT
 RELATIONS

AUG 30 1979

UNIVERSITY OF CALIFORNIA

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
 August 15, 1979
 9:30 a.m.

939 Ellis Street
 San Francisco
 California

M I N U T E S

BOARD MEMBERS PRESENT:

Larry Asera, Edward J. Bacciocco,
 Jr., Barbara Boxer, Sam Chapman,
 Fred F. Cooper, Ralph P. Doetsch,
 Sr., Thomas J. Ferrito, Eric H.
 Hasseltine, M. Patricia Hilligoss,
 Pamela Ketcham, Quentin Kopp, L.N.
 "Judge" Landis, Valerie Raymond,
 Verne L. Roberts, Carol Ruth Silver.

BOARD MEMBERS ABSENT:

Dominic L. Cortese, Daniel A.
 McCorquodale, Frank H. Ogawa.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F. Bell,
 Paul Brand, Thomas F. Brennan,
 Daniel Goalwin, Peter Hess, John F.
 Powell, Lewis H. Robinson, Mabel
 Harder.

Chairperson Boxer called the meeting to order at 9:45 a.m.

PUBLIC PRESENTATION

There were none.

APPROVAL OF MINUTES OF AUGUST 1, 1979

COMMUNICATIONS

Thomas J. Ferrito, Secretary

The following communications were presented:

F.V. Hall
San Francisco

concerning consumer fraud at the gas pump due to the vapor recovery program initiated by the District, and alleging his First Amendment rights to free speech had been infringed upon by Mr. Feldstein.

Fred V. Hall
San Francisco

correcting a typographical error in his letter dated July 1, 1979, and filing a formal grievance.

EPA Bulletin entitled, Environ-Meet, July 1979.

Fred V. Hall
San Francisco

two endorsements to his letters dated August 1, 1979 and August 3, 1979, inquiring as to when he could expect a reply.

A.M. Twilley
Ford Motor Company
Dearborn, Michigan

requesting to be put on the mailing list to receive copies of the regulations and agendas and minutes of meetings.

John M. Pardell
Vice President
Tri-Mer Corporation
Owosso, Michigan

with respect to their NO_x gas scrubbing equipment.

William Rudolph, President
William Rudolph & Co.
Seattle

requesting a complete retraction of statements made in the June, 1979 issue of Air Currents under the heading of, "Board Approves Two Amendments to Reg. 2", in which statements were made with respect to the Rudolph nozzle, and enclosing test data on said nozzle.

APPROVAL OF ARB GRANT APPLICATION

The APCO's report entitled, ARB Grant Application for 1979-80, dated August 9, 1979, was presented. Resolution No. 1150 approving said application, was adopted on roll call.

ADOPTION OF RESOLUTION SUPPORTING USE OF PUBLIC TRANSPORTATION AND OTHER ALTERNATIVES TO REDUCE SINGLE PERSON VEHICLES

Resolution No. 1151, In the Matter of Expressing the Support of the Bay Area Air Quality Management District for Any State and Federal Programs to Reduce Public Reliance Upon Single Passenger Automobile Transportation was adopted on roll call.

CHANGE IN ADMINISTRATIVE CODE REGARDING MEMBERSHIP OF BOARD COMMITTEES

The APCO's report entitled, Amendment to Administrative Code, dated August 9, 1979, was presented. The Board adopted Resolution No. 1152, In the Matter of Amending the Administrative Code.

On motion of Dr. Bacciocco; seconded by Mrs. Hilligoss; the above Consent Calendar items were adopted on roll call:

AYES: BACCIOCCO, BOXER, COOPER, DOETSCH, FERRITO,
HILLIGOSS, KETCHAM, LANDIS, RAYMOND, ROBERTS.

NOES: NONE.

ABSENT:ASERA, CHAPMAN, CORTESE, HASSELTINE, KOPP, MCCORQUODALE,
OGAWA, SILVER.

REPORT OF AIR POLLUTION CONTROL OFFICER Milton Feldstein

Legislative Summary

The APCO's report entitled, Summary of Legislative Activities, dated August 8, 1979, was reviewed by Messrs. Feldstein and Bell. Mr. Bell advised that this year the District's bail-out funds would come from the County instead of State; that a letter so advising the county auditors would be sent shortly; that some counties were interpreting the law with respect thereto differently and he requested that the Directors advise their Controllers of the District's interpretation.

Dr. Hasseltine arrived at 9:50 a.m.

Mr. Kopp arrived at 9:52 a.m.

Mr. Feldstein advised that a copy of the District's letters to the auditors would be sent to each Director.

In discussion of the interpretation of the law with respect to how the District receives its portion of the bail-out funds, Chairperson Boxer suggested that a letter from a State representative needed to be obtained confirming the District's interpretation

for submission to each County.

Mr. Feldstein reviewed AB-1272 (Statham) with respect to subvention funds for Districts, stating that if it passed the District's portion would be reduced \$55,000.

Mr. Feldstein advised that a new fee schedule for the sale of regulations would be agendized at the next Board meeting.

After discussion, Mr. Kopp moved that the adoption of the 1979-80 budget be agendized for September 5, 1979; seconded by Mr. Chapman; carried.

Mr. Powell reviewed Resolution No. 1149, In the Matter of Reaffirming the Opposition of the Board of Directors of the Bay Area Air Quality Management District to the Application of the Southern Pacific Transportation Company for the Discontinuance of Passenger Service Between San Francisco and San Jose, Interstate Commerce Commission Finance Docket No. 28611.

CHAIRPERSON'S REPORT
Barbara Boxer

Chairperson Boxer advised that Dr. Stuart C. Cullen had passed away. Mr. Cooper moved the adoption of Resolution No. 1153, expressing sorrow at his passing, and adjourning the Board meeting in his memory; seconded by Mr. Chapman; carried on roll call:

AYES: BACCIOCCO, BOXER, CHAPMAN, COOPER, DOETSCH,
FERRITO, HASSELTINE, HILLIGOSS, KETCHAM, KOPP,
LANDIS, RAYMOND, ROBERTS, SILVER.

NOES: NONE.

ABSENT: ASERA, CORTESE, MCCORQUODALE, OGAWA.

- - -

Mr. Chapman reviewed the discussion at the meeting of the Ad Hoc Committee for Closer Liaison With ARB with respect to developing a workable Inspection & Maintenance Program.

Ms. Silver arrived at 10:05 a.m.

Mr. Chapman stated that current I & M legislation is not moving and that a resolution requesting a delay in said program until further studies have been made might be introduced; that the Board should discuss this with the legislators at the meeting on September 12.

After further discussion, Chairperson Boxer stated that it was the consensus of the Board that it has taken action in this regard because of the Chairperson's letter to the Governor; that the matter will be discussed with the District's legislators; that the Ad Hoc Committee will monitor the matter and report back.

Chairperson Boxer called attention to the communications received from Mr. Fred V. Hall, stating that she was responding thereto.

PUBLIC COMMENTS

There were none.

OTHER

Mr. Feldstein advised that the Planning Division is developing a program with respect to meeting the Reasonable Further Progress requirements, which would be submitted to the Board.

TIME AND PLACE OF NEXT MEETING

9:30 a.m., Wednesday, September 5, 1979, 939 Ellis Street, San Francisco, California.

EXECUTIVE SESSION WITH DESIGNATED REPRESENTATIVES PURSUANT
TO GOVERNMENT CODE SECTION 54957.6

The Board went into Executive Session at 10:30 a.m.

Mr. Asera arrived at 11:00 a.m.

The meeting adjourned at 11:15 a.m.

Respectfully submitted,

Mabel Harder
Clerk of the District

MH/cp

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

INSTITUTE OF GOVERNMENTAL
STUDIES LIBRARY

SEP 18 1979

BOARD OF DIRECTORS REGULAR MEETING

UNIVERSITY OF CALIFORNIA

Wednesday
September 5, 1979
9:30 a.m.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Larry Asera, Edward J.
Bacciocco, Jr., Barbara Boxer,
Sam Chapman, Fred F. Cooper,
Dominic L. Cortese, Thomas J.
Ferrito, Eric H. Hasseltine,
M. Patricia Hilligoss, Pamela
Ketcham, L.N. "Judge" Landis,
Frank H. Ogawa, Valerie Raymond,
Verne L. Roberts.

BOARD MEMBERS ABSENT:

Ralph P. Doetsch, Sr., Quentin
Kopp, Daniel A. McCorquodale,
Carol Ruth Silver.

ADVISORY COUNCIL MEMBERS PRESENT:

Shirley J. Campbell, Jack C.
Oppenheimer.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F. Bell,
Hulan F. Brinkley, Daniel
Goalwin, Peter Hess, Dario A.
Levaggi, Edward W. McHugh, John
F. Powell, Lewis H. Robinson,
Mabel Harder.

- - -

Chairperson Boxer called the meeting to order at 9:40 a.m. A quorum was not present.

REPORT OF AIR POLLUTION CONTROL OFFICER
Milton Feldstein

Mr. Feldstein reported on legislation, including SB-814 (Holmdahl) and SB-815 (Holmdahl), with respect to ARB holding public hearings, suggesting that the Chairperson direct a letter to Governor Brown requesting that he sign the bill since these were endorsed by the Board. Chairperson Boxer so ordered.

Mrs. Hilligoss arrived at 9:41 a.m. and a quorum was now present.

Mr. Feldstein requested that the Chairperson direct a letter to the Governor with respect to AB-799 (Calvo) concerning Permit fees requesting that he sign the bill. Chairperson Boxer so ordered.

Mr. Feldstein advised of the ARB hearings on September 26 and 27 with respect to District regulations.

Dr. Bacciocco arrived at 9:45 a.m.

PUBLIC PRESENTATION

There were none.

APPROVAL OF MINUTES OF AUGUST 15, 1979

DIVISION MONTHLY REPORTS

The following reports were presented:

- Director of Enforcement Monthly Activity Report For August 1979;
- Director of Permit Services Monthly Activity Report, July 21, 1979 to August 20, 1979;
- Director of Technical Services Monthly Activity Report, July 18 through August 21, 1979;
- Director of Planning Monthly Activity Report, July 18 through August 21, 1979;
- Director of Public Information Monthly Activity Report, July 23, 1979 - August 29, 1979;
- Status of Legal Matters - July 27, 1979 to August 28, 1979.

COMMUNICATIONS

Anita L. Skinner
City Clerk, City of Suisun

notice of Public Hearing on Suisun City's General Plan.

F. V. Hall
San Francisco

demanding as a private citizen a Board investigation of his grievance filed with the District, dated August 16, 1979.

F. V. Hall
San Francisco

demanding as a private citizen that the Board investigate the disciplinary action taken against him by the District, dated August 16, 1979

F. V. Hall
District Employee

copy of End. to Tom Bell regarding his being suspended from work without pay, dated August 16, 1979.

W. J. Bergman, Jr.
Controller
County of San Mateo

advising of the total value of the assessable property for 1979-80, dated August 16, 1979.

Senator Alfred E. Alquist

accepting the invitation to lunch on September 12, 1979.

Fred V. Hall
District Employee

copy of End. to John Powell, dated August 23, 1979.

Fred V. Hall
District Employee

End. to the Board requesting a response to his letter of August 3, 1979 with respect to an investigation of the consumer fraud at the gas pump caused by the vapor recovery nozzles, dated August 23, 1979.

Francis R. Perry, Chief
Engineering Evaluation Branch
ARB

copy of letter to Emco Wheaton, Inc., with respect to the performance of nozzles, dated August 22, 1979.

Senator John W. Holmdahl

declining invitation to lunch on September 12, 1979

Regional Planning Committee
ABAG

agenda for September 5, 1979 meeting.

J. F. Dehnert, Chairman
Air Resources Committee
BALIA

Statement regarding the Recodification of District Regulations.

AUTHORIZATION FOR CHAIRPERSON AND APCO TO SIGN PURCHASE
ORDER FOR FINAL (3RD) INSURANCE INSTALLMENT

Adopted Resolution No. 1154, In the Matter of Authorizing the Chairperson of the Board of Directors to Sign Purchase Order for Insurance Premium.

SET PUBLIC HEARING FOR NOVEMBER 7, 1979 TO CONSIDER A REGULATION
FOR CONTROL OF EMISSIONS FROM NEW KRAFT MILLS (REG. 7, RULE 24)

The APCO's report entitled, Set Public Hearing for New Kraft Mills, dated August 29, 1979, was presented.

Mr. Ogawa moved the adoption of the above Consent Calendar items; seconded by Mrs. Raymond; carried on roll call:

AYES: BACCIOCCO, BOXER, CHAPMAN, COOPER, FERRITO, HILLIGOSS, KETCHAM, LANDIS, OGAWA, RAYMOND, ROBERTS.

NOES: NONE.

ABSENT: ASERA, CORTESE, DOETSCH, HASSELTINE, KOPP, McCORQUODALE, SILVER.

Dr. Hasseltine arrived at 9:46 a.m.

Fred V. Hall
San Francisco

requested an opportunity to speak to the Board with respect to his communications, specifically on consumer fraud, and Chairperson Boxer advised that he would be given such opportunity at the meeting on September 19, 1979.

EXECUTIVE SESSION WITH DESIGNATED REPRESENTATIVES
PURSUANT TO GOVERNMENT CODE SECTION 54957.6

The Board went into Executive Session at 9:46 a.m. to discuss labor negotiations.

The Board reconvened at 9:56 a.m., and Mr. Powell reported that the management negotiating team reported with respect to its meeting with Union representatives; that the Unions have approved the Board's proposal except for the division of the proposed 7% increase, and \$150.00 per employee fringe benefits, which will be voted on by the membership before approval of the MOU; that Board of approval of MOU and salaries is conditioned on approval of those items by the Union membership by September 28, 1979.

Mr. Cortese arrived at 9:57 a.m.

REPORT OF BUDGET AND FINANCE COMMITTEE
Fred F. Cooper, Chairperson

Mr. Cooper reported on the Committee's meeting on August 15, 1979 at which the 1979-80 Budget was discussed, advising that the State Controller has agreed with the District's interpretation AB-8; that \$107,000 subvention was lost due to a change in State law and that additional property taxes will be received, both of which were reflected in the Budget presented; that the Budget was the same as last year except for salary increases and the reduction of twelve positions.

PUBLIC HEARING TO CONSIDER ADOPTION OF DISTRICT BUDGET AND
ACCOMPANYING RESOLUTIONS FOR FISCAL 1979-80

Chairperson Boxer opened the Public Hearing at 10:02 a.m. There were no presentations.

Mr. Ogawa moved that the Public Hearing be closed at 10:03 a.m. seconded by Mr. Roberts; carried.

Mr. Chapman moved the adoption of the following Resolutions:

Resolution No. 1155 - In the Matter of Transferring Funds From the Unencumbered Balance of Appropriations to Fund Balance Available.

Resolution No. 1156 - In the Matter of Transferring Funds From Permanent Salaries to a Reserve for Adjustments for Prior Years.

Resolution No. 1157 - In the Matter of Transferring Funds and Continuing the General Reserve.

Resolution No. 1158 - In the Matter of Approving a Memorandum of Understanding and Providing Fringe Benefits.

Resolution No. 1159 - In the Matter of Amending the Salary Ranges of District Employees.

Resolution No. 1160 - In the Matter of Authorizing the APCO to Sell or Dispose of Obsolete or Surplus Equipment.

Resolution No. 1161 - In the Matter of Approving the Budget for BAAQMD for the Fiscal Year Ending June 30, 1980 (1979-80).

Seconded by Mr. Ogawa; carried on roll call:

AYES: BACCIOCCO, BOXER, CHAPMAN, CORTESE, FERRITO, HASSELTINE, HILLIGOSS, KETCHAM, OGAWA, RAYMOND, ROBERTS.

NOES: COOPER, LANDIS.

ABSENT: ASERA, DOETSCH, KOPP, MCCORQUODALE, SILVER.

Mr. Chapman moved that the APCO be authorized to sign Computer Maintenance and Emergency Repair Contract with Hewlett-Packard; seconded by Mr. Ogawa; carried.

CONSIDERATION OF FEE SCHEDULE FOR DISTRICT REGULATIONS

The APCO's report entitled Fees, dated August 31, 1979 was presented. Mr. McHugh reviewed the proposed fee schedule as contained therein.

Mr. Ferrito expressed concern that a fee of \$0.25 per page was being levied for copies of material and inquired if this were in accordance with the Government Code. Mr. Powell responded that the Government

Code would prevail and if necessary, the Resolution could be amended.

Mr. Roberts moved the adoption of Resolution No. 1162, In the Matter of Establishing Fees for District's Services, Materials and Equipment Used; seconded by Mr. Ogawa; carried on roll call:

AYES: BACCIOCCO, BOXER, CHAPMAN, COOPER, CORTESE, FERRITO, HASSELTINE, HILLIGOSS, KETCHAM, LANDIS, OGAWA, RAYMOND, ROBERTS.

NOES: NONE

ABSENT: ASERA, DOETSCH, KOPP, MCCORQUODALE, SILVER.

CONTINUATION OF PUBLIC HEARING FOR CONSIDERATION OF
REGULATION TO CONTROL EMISSIONS FROM LIGHTERING OPERATIONS

The APCO's report entitled, Continuation of Public Hearing to Consider Control of Lightering Operations (Reg. 12), dated August 29, 1979, was presented.

Mrs. Raymond moved that the Public Hearing thereon be continued for 6 months (March 5, 1980), seconded by Dr. Bacciocco; carried.

PUBLIC HEARING TO CONSIDER ADOPTION OF RECODIFIED
AND REVISED REGULATIONS

Mr. Feldstein reviewed his report, Recodified Regulations, dated August 30, 1979, requesting the regulations be adopted effective January 1, 1980.

Mr. Feldstein requested the Public Hearing on Regulation 9, Rule 1-SO₂, be continued until October 17, 1979 so that problems that still exist with respect thereto could be resolved.

Mr. Robinson reported on the status of the SO₂ Study, stating they were waiting for verification of Phase I; that the study has been delayed 9-10 weeks. Mr. Cooper requested that when the Public Hearing on Regulation 9 is held that reference to the study be made.

Mr. McHugh reviewed the format of the Regulations and briefly outlined the purpose of each.

Mr. Asera arrived at 10:25 a.m.

Mr. Powell pointed out that if any other changes become necessary prior to the effective date of January 1, 1980, a Public Hearing would have to be held. Mr. Landis questioned whether the Board could reconsider a matter after adoption unless one year had elapsed, stating that he felt the Government Code so provided, to which Mr. Powell responded that he was not aware of any such provision, pointing out the Board has reconsidered several matters in the past.

Mr. Ogawa moved the adoption of Resolution No. 1163, In the Matter of Recodifying and Revising All of the District's Rules and Regulations, and Continuing the Public Hearing on Regulation 9, Rule 1, for Public Hearing on October 17, 1979; seconded by Dr. Bacciocco.

In discussion, Chairperson Boxer opened the Public Hearing at 10:30 a.m.

Mr. Powell presented the Clerk with 9 Affidavits of Publication of Notice of Public Hearing.

The following made presentations:

David Spencer
Dow Chemical Company

addressed Regulation 8, requesting that methyl chloroform and methylene chloride be excluded from the Definition of Organic Compounds in §8-1-202.

In discussion, Mr. Feldstein stated that the District has attempted to regulate photochemically reactive compounds; that EPA has previously indicated that the two compounds do not contribute to ozone formation, but Staff is concerned with toxicity. After discussion, it was agreed that §8-1-202 would be deleted from consideration at this Public Hearing and included in the Public Hearing on October 17, 1979.

Eveleth Hayden
Executive Vice President
BALIA

called attention to their Statement Regarding The Recodification of District Regulations, undated.

Chairperson Boxer closed the Public Hearing at 10:45 a.m., and Mr. Ogawa's motion carried on roll call:

AYES: ASERA, BACCIOCCO, BOXER, CHAPMAN, COOPER, CORTESE,
FERRITO, HASSELTINE, HILLIGOSS, KETCHAM, LANDIS, OGAWA,
RAYMOND, ROBERTS.

NOES: NONE

ABSENT: DOETSCH, KOPP, MCCORQUODALE, SILVER.

CHAIRPERSON'S REPORT
Barbara Boxer

Mrs. Boxer reported that the Board will have a Special Meeting in Sacramento on September 12, 1979 to meet with Bay Area Legislators and members of the ARB.

Mr. Cooper moved the adoption of Resolution No. 1164, In the Matter the Board of Directors of the Bay Area Air Quality Management District Expressing Its Profound Appreciation to Victor Calvo for Outstanding Service; seconded by Mr. Ferrito; carried on roll call:

AYES: ASERA, BACCIOCCO, BOXER, CHAPMAN, COOPER, CORTESE,
FERRITO, HASSELTINE, HILLIGOSS, KETCHAM, LANDIS, OGAWA,
RAYMOND, ROBERTS.

NOES: NONE

ABSENT: DOETSCH, KOPP, MCCORQUODALE, SILVER.

The following reports were presented.

Pending Referral From Board of Directors, dated August 16, 1979;
Board Referrals to Advisory Council, dated May 2, 1979.

PUBLIC COMMENTS

There were none.

OTHER

Mr. Cooper referred to the news article in the Alameda Times-Star dated June 29, 1979 with respect to garbage burning plants, suggesting that workshops be sponsored to advise the various agencies considering such plants with respect to the District's regulations, and requested Mr. Feldstein to report in a month on what action he proposes to take with respect to informing said agencies.

TIME AND PLACE OF NEXT MEETING

11:30 a.m., Wednesday, September 12, 1979, Ellis Restaurant, Sacramento, California.

The meeting adjourned at 10:55 a.m.

Respectfully submitted,

Mabel Harder
Clerk of the District

MH:jf

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Sept. 19, 1979

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INSTITUTE OF GOVERNMENTAL
STUDIES LIBRARY

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109
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SEP 18 1979

UNIVERSITY OF CALIFORNIA

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
September 19, 1979
9:30 a.m.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Edward J. Bacciocco, Jr., Fred
F. Cooper, Ralph P. Doetsch, Sr.,
Thomas J. Ferrito, Eric H.
Hasseltine, M. Patricia Hilligoss,
Quentin Kopp, Daniel A.
McCorquodale, Frank H. Ogawa,
Valerie Raymond, Verne L. Roberts,
Carol Ruth Silver.

BOARD MEMBERS ABSENT:

Larry Asera, Barbara Boxer, Sam
Chapman, Dominic L. Cortese,
Pamela Ketcham, L.N. "Judge Landis.

ADVISORY COUNCIL MEMBER PRESENT:

Jack C. Oppenheimer, Chairperson

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F. Bell,
Hulan F. Brinkley, Daniel Goalwin,
Richard W. Grieves, Peter Hess,
Gale Karels, Dario A. Levaggi,
Robert Matson, Edward W. McHugh,
John F. Powell, Lewis H. Robinson,
Mabel Harder

In the absence of Chairperson Boxer, Vice Chairperson Bacciocco called the meeting to order at 9:40 a.m. A quorum was not present.

REPORT OF ADVISORY COUNCIL
Jack C. Oppenheimer, Chairperson

Mr. Oppenheimer reviewed the Report of the Advisory Council, dated September 19, 1979.

PUBLIC PRESENTATION

There were none.

CHAIRPERSON'S REPORT
Edward J. Bacciocco, Vice Chairperson

Chairperson Bacciocco advised that there were presently two vacancies on the Advisory Council: (1) Regional Park District category and (2) Colleges or Universities category; and requested any Director to furnish the names and resumes of candidates for review by the Personnel Committee.

REPORT OF APCO
Milton Feldstein

Mr. Feldstein advised of the Bi-Annual Technical Meeting of the West Coast Section, Air Pollution Control Association in Monterey, on October 25-26, 1979, and requested that any Director who wished to attend should advise him or Ms. Harder.

Report on Vapor Recovery

Mr. Karels reviewed the APCO's report, The Status of Gasoline Vapor Recovery, dated September 13, 1979, and demonstrated the 1st generation nozzle and one model of the 2nd generation nozzle.

Mr. Ogawa arrived at 9:45 a.m.

Mr. Kopp arrived at 9:50 a.m.

In discussion as to whether fraud existed in this area, Mr. Karels pointed out that a distinction needed to be made between "recirculation" and "fraud"; that a trap in the 2nd generation nozzle will automatically shut off gas going into the line.

Ms. Silver arrived at 9:55 a.m.

Mr. Karels advised that the District will inspect each service station to make sure the equipment is in proper maintenance.

Mr. Cooper arrived at 9:57 a.m., and a quorum was now present.

APPROVAL OF MINUTES OF SEPTEMBER 5, 1979

COMMUNICATIONS
Thomas J. Ferrito, Secretary

The following communications were presented:

Professor Scott Lynn
University of California

submitting his letter of resignation because of his responsibility in his new appointment as Departmental Vice Chairperson.

Wallace Brazelton, Chairperson
Board of Directors
Yolo-Solano APCD

advising of the Board's position on emission offset requirements for Pacific Gas & Electric Co. Fossil Fuel 1 & 2 Units, and requesting that the District assure that their criteria is met and that all pertinent data be submitted to them.

W. J. Bergman, Jr.,
Controller
County of Santa Clara

advising of their estimated 1979-80 Property Tax Revenue contribution to the District.

Russ Shura, Fire Chief
Sebastopol Fire Department

requesting information on the District's Permit Regulation with respect to gasoline storage tanks.

W. C. Kossack
Environmental Hygiene Specialist
Lockheed Missiles & Space Company Inc.

submitting his statement on the proposed amendments to the Emergency Episode Plan on behalf of the Peninsula Manufacturers Association.

Milton Feldstein

copy of letter to Fred Hall with respect to his addressing the Board on the subject of Vapor Recovery.

Dave Golick
Associate Planner
City of Concord

expressing difficulty in receiving information on the District's Permit requirements.

Lillian Craig, Supervisor
Labeling & Toxicological Section
Cook Paint & Varnish Company
Kansas City

entering for the record detail explanation of the manufacturing date code for their products.

U. S. Department of Agriculture Forest Service

invitation to attend a California Smoke Management Workshop
November 27 - 30, 1979, in San Diego.

Wayne A. Loftus
Planning Administrator
Pacifica

requesting information on permit requirements.

APPROVAL OF CONTRACT WITH LIVERMORE
LABORATORY/U.S. DEPARTMENT OF ENERGY

The APCO's report, Approval of Contract with Livermore Laboratory/U.S. Department of Energy, dated September 13, 1979, was presented. Resolution No. 1165, In the Matter of Approving a Work For Others Agreement for LIRAQ Model, was adopted.

APPROVAL OF TRANSFER OF FUNDS

The APCO's report, Transfer of Funds, dated September 11, 1979, was presented. Resolution No. 1166, In the Matter of Authorizing The Transfer of Funds, was adopted.

APPROVAL OF TECHNICAL CORRECTIONS TO SALARY
SCHEDULES AND M.O.U.

The APCO's report, Technical Corrections to Salary Schedules and Memorandum of Understanding, dated September 13, 1979, was presented. Resolution No. 1167, In the Matter of Approving Technical Corrections to Salary Schedules and Memorandum of Understanding for 1979-80, was adopted.

APPROVAL OF REFUNDS OF HEARING BOARD FILING FEES

The APCO's report, Approval of Refund of Hearing Board Fees, dated September 13, 1979, was presented.

On motion of Mr. Ogawa; seconded by Mrs. Hilligoss; the above Consent Calendar items were approved on roll call:

AYES: Bacciocco, Cooper, Doetsch, Ferrito, Hilligoss,
Kopp, Ogawa, Raymond, Roberts, Silver.

NOES: None

ABSENT: Asera, Boxer, Chapman, Cortese, Hasseltine, Ketcham,
Landis, McCorquodale.

PUBLIC HEARING TO CONSIDER AMENDMENTS TO EMERGENCY
EPISODE PLAN (REGULATION 5)

Mr. Matson reviewed the APCO's report, Public Hearing for Proposed Amendments to Emergency Episode Plan, dated September 13, 1979.

Dr. Hasseltine arrived at 10:10 a.m.

Mr. Feldstein outlined the procedures which are taken under the Alert, Warning, and Emergency levels and reviewed the number of times during the past five years that the .20 ppm Alert level had been reached, pointing out that the high during this period was .23 ppm; that it was the opinion of the meteorological staff that the probability of reaching .35 ppm, Warning level, was very remote; that trends are down; that because the District is required to have a plan the "Sunday Closing" aspect needed to be in the Warning Level Plan.

There was discussion on the number of monitoring stations providing data, and their reliability, Mr. Cooper expressing concern that the entire District would be closed down if one monitoring station malfunctioned and suggesting that companies be listed on a graduated scale for conforming to the "Sunday Closing" instead of on basis of blanket T/Y.

Chairperson Bacciocco opened the Public Hearing at 10:25 a.m.

Mr. Powell presented the Clerk with nine Affidavits of Publication of Notice of Hearing.

The following made presentations:

W. C. Kossack
Environmental Action Committee
Peninsula Manufacturers Association

reviewed his Statement dated September 19, 1979, expressing concern about the "Sunday Closing" aspect, stating the cost to the Bay Area would be immense if all industries had to shut down for one day; that the "Sunday Closing" was not a requirement elsewhere.

Ms. Silver suggested amendments to the Regulation to exempt those companies that could certify that 90% of their employees arrive at work other than by private automobile; close gasoline stations on predicted "Warning"; ban all but emergency driving on predicted "Warning".

Mr. McCorquodale arrived at 10:45 a.m.

Mr. Ferrito moved the Public Hearing be closed at 10:46 a.m.; seconded by Mr. Doetsch; carried.

Mr. Kopp moved the adoption of Resolution No. 1168, In the Matter of Amending Regulation 5 Relating to Air Pollution Episode Plan; seconded by Mrs. Raymond; carried on roll call.

AYES: Bacciocco, Cooper, Doetsch, Ferrito, Hasseltine, Hilligoss, Kopp, McCorquodale, Raymond, Roberts, Silver.

NOES: None

ABSENT: Asera, Boxer, Chapman, Cortese, Ketcham, Landis Ogawa.

Chairperson Bacciocco requested the Staff to meet with major manufacturing firms and press by January 1980, to arrange better communications with respect to the Air Pollution Episode plans; and that the Staff should consider the suggestions made by Ms. Silver and report to the Board.

PUBLIC HEARING TO CONSIDER CORRECTIONS TO REGULATION 2,
SECTION 1302.22 REGARDING STORAGE TANKS

Mr. Feldstein reviewed his report, Public Hearing on Recent Amendment to Section 1302.22 of Regulation 2, dated September 13, 1979.

Chairperson Bacciocco opened the Public Hearing at 10:47 a.m.. There was no presentations.

Mr. Kopp moved the Public Hearing be closed at 10:48 a.m.; seconded by Mrs. Hilligoss; carried.

Mr. Cooper moved the adoption of Resolution No. 1169, In the Matter of Amending Section 1302.22 of Regulation 2; seconded by Mr. Ferrito; carried on roll call:

AYES: Bacciocco, Cooper, Doetsch, Ferrito, Hasseltine, Hilligoss, Kopp, McCorquodale, Raymond, Roberts, Silver.

NOES: None

ABSENT: Asera, Boxer, Chapman, Cortese, Ketcham, Landis, Ogawa.

Continuation of Report on Vapor Recovery

Mr. Fred V. Hall
San Francisco

read a short statement, including part of a letter written to him by Mr. Feldstein with respect to his appearance before the Board. In discussion, he stated that people were damaged by the 1st generation nozzle by being overcharged for gas not received because of recirculation; that he had no action he was recommending the Board take but that he wanted it to be aware of the problem.

Report on Hearing Board Decisions

Mr. Powell reviewed the Hearing Board's decisions on the Citizens for a Better Environment, et al Appeal with respect to The Kaiser Cement Company permit, and Citizens for a Better Environment, et al Appeal, with respect to the Wickland Oil Company permit as to the CEQA issue.

PUBLIC COMMENTS

There were none.

Mrs. Hilligoss advised that this was her last meeting as a Director, and expressed appreciation to the Board and Staff.

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The following reports were presented:

Pending Referrals from Board of Directors, dated September 5, 1979
Board Referrals to Advisory Council, dated September 5, 1979.

TIME AND PLACE OF NEXT MEETING

9:30 a.m., Wednesday, October 3, 1979, 939 Ellis Street, San Francisco, California.

On motion by Mr. Ogawa, seconded by Mr. Doetsch, the meeting adjourned at 11:10 A.M.

Respectfully submitted,

Mabel Harder
Clerk of the District

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PRARY

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

OCT 30 1979

UNIVERSITY OF CALIFORNIA

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
October 3, 1979
9:30 A.M.

939 Ellis Street
San Francisco,
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Edward J. Bacciocco, Jr.,
Barbara Boxer, Sam Chapman,
Dominic L. Cortese, Ralph P.
Doetsch, Sr., Pamela Ketcham,
Quentin Kopp, L.N. "Judge"
Landis, Daniel A. McCorquodale,
Valerie Raymond, Carol Ruth
Silver.

BOARD MEMBERS ABSENT:

Larry Asera, Fred F. Cooper,
Thomas J. Ferrito, Eric H.
Hasseltine, Frank H. Ogawa,
Verne L. Roberts.

ADVISORY COUNCIL MEMBER PRESENT: Jack C. Oppenheimer, Chairperson

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F. Bell,
Hulan F. Brinkley, Daniel
Goalwin, Richard W. Grieves,
Dario A. Levaggi, Edward W.
McHugh, John F. Powell, Lewis
H. Robinson, Mabel Harder.

- - -

Chairperson Boxer called the meeting to order at 9:40 A.M.

PUBLIC PRESENTATION

There were none.

APPROVAL OF MINUTES OF SEPTEMBER 19, 1979

COMMUNICATIONS

Thomas J. Ferrito, Secretary

The following communications were presented:

Assemblyperson Walter M. Ingalls

Interim Hearing Schedule of the Assembly Transportation Committee

Michael Rothenberg
District Employee

filing Claim for \$1,000,000 because of his employment status
and for other reasons.

Michael Mitchell
Auditor-Controller
County of Marin

advising of the computed tax levy for the District

Affirmative Action Council

meeting minutes of September 6, 1979

Thomas Flaherty, Director
Population Education
Zero Population Growth

questionnaire on population.

Richard J. Herzing
Palo Alto

requesting that the District investigate, and eliminate the use
of motorized air blowers used by City crews and commercial
gardners.

William Rudolph, President
William Rudolph & Co., Inc.
Seattle, Wa

disagreeing with several statements made in Chairperson Boxer's
response to his letter dated August 7, 1979.

Michael Rothenberg
District Employee

requesting the Personnel Committee to hold a hearing on his
Grievance.

Thomas C. Austin
Executive Officer
ARB

notice of Public Hearing for reconsideration of Board Resolution
78-51 amending Regulation 2, §§3120 through 3123.9 of the District's
Regulations.

Michael V. Dyett

resigning from the Advisory Council because of increasing pro-
fessional commitments and growing frustration about the role of
the District and Council in air quality maintenance planning.

Thomas C. Austin
Executive Officer
ARB

amended notice of Public Hearing for reconsideration of Board
Resolution 78-51 amending Regulation 2, §§3120 through 3123.9
of the District's regulations.

DIVISION MONTHLY REPORTS

The following reports were presented:

Director of Enforcement Monthly Activity Report for
September 1979;
Director of Permit Services Monthly Activity Report,
August 21, 1979 to September 20, 1979.
Director of Technical Services Monthly Activity
Report, August 22 through September 18, 1979;
Director of Planning Monthly Activity Report,
August 22 through September 18, 1979;
Director of Public Information Monthly Activity Report,
August 29, 1979 - September 25, 1979;
Status of Legal Matters - August 29, 1979 to September 25, 1979.

APPROVAL OF PERMIT FEE REFUNDS

The APCO's report, Permit Fee Refunds, dated September 25, 1979
was presented.

REPORT AND APPROVAL OF SIMS AWARD

The APCO's report, Approval of Grant Award from the Institute
for Mathematics and Society, dated September 25, 1979 was
presented.. Adopted Resolution No. 1170, In the Matter of
Accepting a Grant Award from the SIAM Institute for Mathematics
and Society.

SET A PUBLIC HEARING TO AMEND REGULATION 1
ON FIRE TRAINING - DECEMBER 19, 1979

The APCO's report, Set a Public Hearing to Amend Regulation 1 on Fire Training - December 19, 1979, dated September 26, 1979 was presented.

APPROVAL OF OUT OF STATE TRAVEL

The APCO's report, Out of State Travel, dated September 25, 1979 was presented.

On motion of Dr. Bacciocco; seconded by Mr. Doetsch; the above Consent Calendar items were approved on roll call:

AYES: BACCIOTTO, BOXER, CORTESE, DOETSCH, KETCHAM,
 KOPP, LANDIS, MCCORQUODALE, RAYMOND.

NOES: NONE.

ABSENT: ASERA, CHAPMAN, COOPER, FERRITO, HASSELTINE,
 OGAWA, ROBERTS, SILVER.

PUBLIC HEARING TO CONSIDER CONTROL OF EMISSIONS
FROM GRAIN ELEVATORS (RECODIFIED REG. 10, RULE 23)

Mr. Feldstein outlined the need for the Regulation and corrected the Rule number to read Rule 23 instead of Rule 22.

Mr. Brinkley reviewed the APCO's report, Public Hearings on New Source Performance Standard Regulations: Grain Elevators (Reg. 10 Rule 23), dated September 25, 1979, stating the Rule applied to new sources.

Chairperson Boxer opened the public hearing at 9:50 A.M.

Mr. Powell presented to the Clerk 9 Affidavits of Publication of Notice of Public Hearing.

The following made a presentation:

Mr. Richard Matteis
California Grain and Feed Association

requested that §10-23-101 be changed to exempt any terminal and grain storage elevators.

The agenda item was deferred for discussion until Staff could determine if such requested exemption was satisfactory.

PUBLIC HEARING TO CONSIDER CONTROL OF
EMISSIONS FROM LIME PLANTS (RECODIFIED REG.
10, RULE 22)

Mr. Brinkley reviewed the APCO's report, Public Hearings on New Source Performance Standard Regulations: Lime Plants (Reg. 10, Rule 22), dated September 25, 1979, stating that the Rule applied to new sources and that presently there were no such plants in the District.

Mr. Chapman and Ms. Silver arrived at 9:55 A.M.

Chairperson Boxer opened the public hearing at 9:55 A.M.

Mr. Powell presented the Clerk 9 Affidavits of Notice of Public Hearing.

There were no presentations.

Mr. Kopp moved that the Public Hearing be closed at 9:56 A.M.; seconded by Mr. Doetsch; carried.

Mr. McCorquodale moved the adoption of Resolution 1171, In the Matter of Adopting Rule 22 of Regulation 10, Relating to Lime Plants; seconded by Mr. Kopp; carried on roll call.

AYES: BACCIOCCO, BOXER, CHAPMAN, CORTESE, DOETSCH,
 KETCHAM, KOPP, LANDIS, MCCORQUODALE, RAYMOND,
 SILVER.

NOES: NONE.

ABSENT: ASERA, COOPER, FERRITO, HASSELTINE, OGAWA,
 ROBERTS.

PUBLIC HEARING TO CONSIDER CONTROL OF EMISSIONS
FROM ELECTRICAL UTILITY GENERATORS (RECODIFIED
REG. 10, RULE 24)

Mr. Goalwin reviewed the APCO's report, Public Hearings on New Source Performance Standard Regulations: Electric Utility Steam Generators (Reg. 10, Rule 24), dated September 25, 1979. Mr. Feldstein presented a substitute Page 4 to the Rule.

In discussion of the necessity of adopting the regulation, it was pointed out that it was a requirement of EPA; that any new source must conform to the most stringent regulation in the District.

Chairperson Boxer opened the public hearing at 10:05 A.M.

Mr. Powell presented the Clerk with 9 Affidavits of Notice of Public Hearing.

There were no presentations.

Mr. Landis moved the public hearing be closed at 10:06 A.M.; seconded by Dr. Bacciocco; carried.

Mr. Doetsch moved the adoption of Resolution No. 1172, In the Matter of Adopting Rule 24 of Regulation 10 Relating to Electric Utility Steam Generating Units; seconded by Mr. Landis, carried on roll call.

AYES: BACCIOCCO, BOXER, CHAPMAN, CORTESE, DOETSCH, KETCHAM, KOPP, LANDIS, MCCORQUODALE, RAYMOND, SILVER.

NOES: NONE.

ABSENT: ASERA, COOPER, FERRITO, HASSELTINE, OGAWA, ROBERTS.

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There was further discussion on Regulation 10, Rule 23 - Grain Elevators, Mr. Brinkley requesting that §10-23-101 - line 1, read as follows:

Description: This rule applies to grain terminal elevators or any grain storage elevator,....

and that line 2 of §10-23-203 be corrected to read,

a permanent. . . 88,100 m³

Mr. Doetsch moved the public hearing be closed at 10:10 A.M.; seconded by Mrs. Ketcham; carried.

Mr. Doetsch moved the adoption of Resolution No. 1173, In the Matter of Adopting Rule 23 of Regulation 10 Relating to Grain Elevators; seconded by Mrs. Ketcham; carried on roll call.

AYES: BACCIOCCO, BOXER, CHAPMAN, CORTESE, DOETSCH, KETCHAM, KOPP, LANDIS, MCCORQUODALE, RAYMOND, SILVER.

NONES: NONE.

ABSENT: ASERA, COOPER, FERRITO, HASSELTINE, OGAWA, ROBERTS.

REPORT OF AIR POLLUTION CONTROL OFFICER
Milton Feldstein

Legislative Report

Mr. Powell reviewed legislation, specifically:

AB-20(Levin) - relating to Hearing Board activities, and penalties - passed.

AB-524(Calvo) - relating to cogeneration and resource recovery projects - passed.

AB-799(Calvo) - relating to permit fees - passed.

AB-1272(Stachman) - relating to subvention grants to small Districts - passed.

SCR-16 -- relating to Inspection and Maintenance - passed.
Report to be presented to Legislature by April 15, 1980.

SCR-32 - relating to study to be conducted to investigate cost of three tier system of air quality management - passed.

SB-815(Holmdahl) - relating to ARB activities - passed.

SB-847(Holmdahl) - relating to banking - passed.

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Mr. Feldstein requested the continuation of the following public hearings:

Graphic Arts Coating Operations from November 7, 1979 to February 5, 1980.

Regulation 2 - SO₂ - from November 7, 1979 to February 5, 1980.

Regulation 27 - Emissions from Perchloroethylene Dry Cleaning Operations, from November 21, 1979 to February 19, 1980.

Regulation 22 - Dry Cleaning Operations - Stoddard Solvents, from November 21, 1979 to February 19, 1980.

Mr. Landis moved a sense motion to continue the public hearings as requested; seconded by Mr. Doetsch; carried.

Chairperson Boxer stated that Board would act on the SO₂ regulation on February 5, 1980, regardless of the study.

- - -

Mr. Feldstein advised that a Workshop on Resource Recovery Projects would be held on October 19, 1979 at 9:30 A.M. with all counties to outline the District's requirements. Mr. Landis requested that the Directors be so informed in writing, and Chairperson Boxer so ordered.

Report on ARB Hearing

Mr. Feldstein reported on the ARB Hearing on September 26-27 with respect to the District's NSRR and RACT rule, pointing out that when it forwarded the AQMP to EPA it did not include

these 2 regulations. He advised that the ARB amended the District's NSRR in three major areas:

1. Trade-off for NO_x relative to ozone was incorporated.
2. Defined emissions from a New Source as the emissions from ships bringing crude oil to the new facilities from 70 miles out to sea; included definition of California Coastal Waters.
3. Removed the banking provision.

Mr. Feldstein advised that because of the Nejedly and Holmdahl legislation, the ARB is precluded from changing the NSRR and RACT regulations now inasmuch as they have already submitted the AQMP as required; that EPA is planning to publish in the Federal Register the deficiencies in the AQMP because of the lack of those 2 regulations; and he recommended the Board adopt the resolution entitled, In the Matter of Urging the California ARB to Submit Certain Rules and Regulations to U.S. EPA.

Mr. Landis moved the adoption of Resolution No. 1174, In the Matter of Urging the California Air Resources Board to Submit Certain Rules and Regulations to U.S. Environmental Protection Agency; seconded by Dr. Bacciocco.

In discussion, Chairperson Boxer pointed out that the ARB was willfully withholding the District's regulations and that the Board had done everything to meet the EPA's requirements; that the Ad Hoc Committee for Closer Liaison with ARB would discuss this matter with them at a meeting scheduled for today. Mr. Feldstein advised that he had suggested to the ARB that it forward these regulations with the AQMP pointing out to them that at a later date they could amend the regulations if they so desired, but this was not acceptable to them.

The motion carried on roll call:

AYES:	BACCIOCCO, BOXER, CHAPMAN, CORTESE, DOETSCH, KETCHAM, KOPP, LANDIS, McCORQUODALE, RAYMOND.
NOES:	NONE.
ABSENT:	ASERA, COOPER, FERRITO, HASSELTINE, OGAWA, ROBERTS, SILVER.

Dr. Bacciocco requested that a copy of the resolution be sent to EPA.

CHAIRPERSON'S REPORT

Mr. Kopp moved the adoption of Resolution No. 1175, In the Matter of the Board of Directors of the Bay Area Air Quality Management District Expressing its profound Appreciation to Patricia Hilligoss

for Outstanding Service; seconded by Dr. Bacciocco; carried on roll call.

AYES: BACCIOCCO, BOXER, CHAPMAN, CORTESE, DOETSCH, KETCHAM, KOPP, LANDIS, MCCORQUODALE, RAYMOND, SILVER.

NOES: NONE.

ABSENT: ASERA, COOPER, FERRITO, HASSELTINE, OGAWA, ROBERTS.

PUBLIC COMMENTS

There were none.

OTHER

Chairperson Boxer advised that there will be a Personnel Committee meeting on October 17, 1979 at 12:30 P.M. and that the Ad Hoc Committee to Review Salary of APCO, Counsel, Clerk of the District would meet immediately after the Board meeting on October 17, 1979.

- - -

Chairperson Boxer advised that she would appear on radio in connection with the Inspection and Maintenance Program.

- - -

The following reports were presented:

Pending Referrals from Board of Directors, dated September 19, 1979.

Board Referrals to Advisory Council, dated September 19, 1979.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, October 17, 1979, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 11:00 A.M.

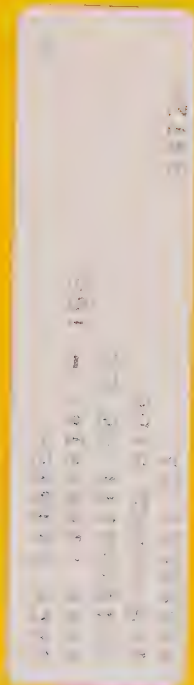
Respectfully submitted,

Mabel Harder
Clerk of the District

MH:js

**BAY AREA
AIR QUALITY MANAGEMENT DISTRICT**

939 Ellis Street
San Francisco, California 94109



FIRST CLASS MAIL

A1581

Oct. 17, 1979

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BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

RECEIVED
OCT 17 1979

BOARD OF DIRECTORS REGULAR MEETING

OCT 17 1979

Wednesday
October 17, 1979
9:30 A.M.

939 Ellis Street
San Francisco,
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Larry Asera, Edward J. Bacciocco, Jr., Barbara Boxer, Sam Chapman, Fred F. Cooper, Ralph P. Doetsch, Sr., Eric H. Hasseltine, Pamela Ketcham, L.N. "Judge" Landis, Daniel A. McCorquodale, Frank H. Ogawa, Valerie Raymond, Vern L. Roberts.

BOARD MEMBERS ABSENT:

Dominic L. Cortese, Thomas J. Ferrito, Quentin Kopp, Carol Ruth Silver.

ADVISORY COUNCIL MEMBERS PRESENT:

Jack C. Oppenheimer, Chairperson;
Stana D. Hearne

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F. Bell, Hulan F. Brinkley, Daniel Goalwin, Peter Hess, Terry Lee Galvin, Dario Levaggi, Edward W. McHugh, John F. Powell, Lewis H. Robinson, Mabel Harder

- - -

Chairperson Boxer called the meeting to order at 9:40 A.M.

PUBLIC PRESENTATION

There were none.

APPROVAL OF MINUTES OF OCTOBER 3, 1979

Ms. Harder requested the following corrections:

Page 6, last paragraph to read: "AB-20 (Levine). : . :"
Page 7, paragraph 3, to read : "AB-1272 (Statham) : . :"

COMMUNICATIONS

Thomas J. Ferrito, Secretary

The following communications were presented:

S. Robert Connor
Auditor-Controller
County of Sonoma

requesting that the annual audit also include a "Management Letter".

City and County of San Francisco Resolution No. 464-79

amending §1.19-1 with respect to distribution of tax proceeds, in which the District amount is included.

Harry W. Falk, Jr.
Magma Power Co.
Los Altos

regarding their alleged air pollution problem and submitting information on geothermal energy at geysers, and inquiring as to regulations thereon.

Y. Charles Soda
Oakland

requesting to burn at the Buchanan Fields Golf Course, Concord.

Tri-Mer Corporation
Costa Mesa

announcement of their display at the APCA's West Coast Section Meeting in Monterey, October 24-26, 1979.

Mrs. Valerie Halloran
Rio Vista

complaining about the heavy smoke in her area on October 4, and opposing the proposed PG&E coal-fired plant in Solano County; favors conservation and solar energy.

Georgiana F. Shepherd
Executive Director
Bay Area Fabricare Environment Council
San Jose

requesting that the public hearing on Dry Cleaning Operations scheduled for November 21, 1979 be continued to January 21, 1980 because the industry would like to study various areas, which she outlined.

David R. Spensor
Senior Research Chemist
Dow Chemical U.S.A.

requesting that methyl chloroform and methylene chloride be excluded from the definition of organic compounds in Regulation 8-1-202.

Thomas C. Austin
Executive Officer
ARB

advising that the District's request for early dispersement of subvention funds for the 1979-80 fiscal year had been approved.

Dr. Howard M. Peters
Attorney
Hexcel

requesting that methylene chloride be excluded from the definition of organic compounds in Regulation 8-1-202.

John Waryold
Operational Manager
HumiSeal Division
Columbia Chase Corporation
Woodside, New York

requesting that 1,1,1-trichloroethane and methylene chloride be exempt from Regulation 8.

REPORT AND APPROVAL OF PERMIT FEE REFUNDS

The APCO's report entitled, Report and Approval of Permit Fee Refunds, dated October 11, 1979, was presented.

SET PUBLIC HEARING FOR DECEMBER 19, 1979 FOR CORRECTIONS, ADDITIONS AND/OR CHANGES TO RECODIFIED REGULATIONS

The APCO's report entitled, Public Hearing for Additions and/or Corrections to Recodified Regulations, dated October 11, 1979, was presented.

REJECTION OF CLAIM OF MICHAEL ROTHENBERG

The APCO's report entitled, Claim of Michael Rotherberg, dated October 11, 1979 was presented.

APPROVAL OF TYPOGRAPHICAL ERROR CORRECTIONS TO
1979-80 SALARY SCHEDULE

The APCO's report entitled, Corrections to 1979-80 Salary Schedule, dated October 11, 1979, was presented.

Adopted Resolution No. 1176, In the Matter of Correcting the Salary Schedule.

On motion by Mr. Doetsch; seconded by Mr. Roberts; the above Consent Calendar items were approved on roll call:

AYES: BOXER, CHAPMAN, COOPER, DOETSCH, KETCHAM, LANDIS
MCCORQUODALE, OGAWA, RAYMOND, ROBERTS

NOES: NONE

ABSENT: ASERA, BACCIOCCO, CORTESE, FERRITO, HASSELTINE,
KOPP, SILVER

CONTINUATION OF PUBLIC HEARING

A. On Recodified and Revised Regulations 8-1-202 Definition of Organic Compound and Related Definitions of Organic Compounds

Mr. Feldstein reviewed his report entitled, Continued Public Hearing on Recodified Regulations: Definition of Organic Compound and Regulation 8, Rule 1, §8-1-202, dated October 10, 1979, and presented a report entitled, Regulation 8-Organic Compounds, undated, requesting the Board adopt the staff proposal that methyl chloroform and methylene chloride be defined as organic compounds.

Mr. Asera arrived at 9:42 A.M.

Dr. Bacciocco arrived at 9:45 A.M.

In discussion, Mr. Feldstein responded that from a photochemical standpoint, the two compounds were of low reactivity; that if a source were using these compounds prior to March 7, 1979, in a degreasing operation, they could continue to use them.

Mr. Cooper expressed concern over the Staff's recommendation, inquiring as to alternatives; Mr. Feldstein responding that other kinds of materials were available for use.

Mr. Chapman expressed concern that present users are being allowed to continue to use the solvents, Mr. Feldstein responding that those sources using the compounds now will not be permitted to expand their use and that the quantity being emitted now was of no major concern with respect to the total atmosphere; that the Staff's concern was with respect to unrestricted use.

Chairperson Boxer opened the Public Hearing at 10:00 A.M.

The following made a presentation:

David R. Spensor
Senior Research Chemist
Dow Chemical U.S.A.

reviewed his letter dated October 10, 1979, requesting an exemption of methyl chloroform and methylene chloride.

In discussion, Mr. Spensor outlined the usage of the solvents nationwide. Mr. Feldstein advised that the Staff's proposal was the same as currently in force under Regulation 3 at the present time. Mr. Cooper stated he would prefer that the current regulation remain in force until the Advisory Council had had an opportunity to study the issue in depth.

Michael O'Neil
Dow Chemical U.S.A.

pointed out that the intermediate drafts of the Regulation during recodification exempted the solvents and that this was the reason they were presenting testimony thereon at this time.

There was discussion on the cost of retrofitting existing units and for control on new usage. There was discussion on OSHA's allowable limits and how this compares with downwind concentrations. There was discussion on whether SB-815 (Holmdahl) would affect the Board's action with respect to this matter, Mr. Powell responding in the negative.

W. Richard Shannon
Vice President Manufacturing
Jamestown Paint & Varnish Co.

reviewed his written statement entitled, Notes for Public Hearing October 17, 1979 Concerning the Exemption of 1,1,1 Trichloroethane, requesting that 1,1,1 Trichloroethane be exempted from the definition of organic compounds; that options should be offered to customers; that 70% of the states have said exemption.

In discussion, Mr. Feldstein pointed out that most of the coatings used now are water-based and high solid coatings; that if Mr. Shannon's proposal were permitted, the usage of the compound could increase.

Jack C. Oppenheimer, Chairperson
Advisory Council

advised that the Advisory Council in reviewing the recodified regulations discussed not only the procedural aspect of the current regulations, but all the substantive aspects; that the Council had already reviewed the matter very thoroughly.

Dr. Hasseltine arrived at 10:40 A.M.

Howard M. Peters
Attorney
Hexcel

presented a written statement entitled, Remarks Concerning the Exclusion of Methylene Chloride From Regulation 8-1-202, dated

October 17, 1979, requesting that methylene chloride be exempt from the definition of organic compounds.

Mr. Chapman moved that the Public Hearing be closed at 10:50 A.M.; seconded by Mr. Ogawa; carried.

Mr. Chapman moved the adoption of Resolution No. 1177, In the Matter of Amending the Recodified and Revised Rules and Regulations to Add §8-1-202 and that this section be referred to the Advisory Council for an in depth study; seconded by Mr. Ogawa; carried on roll call.

AYES: ASERA, BACCIOCCO, BOXER, CHAPMAN, COOPER, DOETSCH
HASSELTINE, KETCHAM, LANDIS, MCCORQUODALE, OGAWA,
RAYMOND, ROBERTS.

NOES: NONE

ABSENT: CORTESE, FERRITO, KOPP, SILVER.

Mr. Asera requested that the Staff present a summary on the comparison of this regulation with that of other regulatory agencies at the time the Advisory Council recommendation is made, and it was so agreed.

Letter from:

John Waryold
Operational Manager
HumiSeal Division
Columbia Chase Corporation

dated October 9, 1979, requesting that 1,1,1 Trichloroethane and methylene chloride be exempt, was presented.

B. Regulation 9, Rule 1, Sulfur Dioxide

Mr. Feldstein review his report entitled, Continued Public Hearing on Recodified Regulations: Regulation 9, Rule 1; Sulfur Dioxide, dated October 10, 1979.

Chairperson Boxer opened the Public Hearing at 10:57 A.M. The following made a brief presentation.

John Mackenzie
P.G. & E

in comments, concurred with the Staff's proposed regulation.

Jeffrey Gabe
Citizens for a Better Environment

inquired with respect to the ground level monitoring network, Mr. Feldstein responding that it would remain in effect until the retrofitting was complete.

Mr. Landis moved the Public Hearing be closed at 11:00 A.M.; seconded by Mr. Ogawa; carried.

Mr. Landis moved the adoption of Resolution No. 1178, In the Matter of Amending the Recodified and Revised Rules & Regulations to Add Rule 1 of Regulation 9 Relating to Sulfur Dioxide; seconded by Mr. Asera; carried on roll call:

AYES: ASERA, BACCIOCCO, BOXER, CHAPMAN, DOETSCH,
HASSELTINE, KETCHAM, LANDIS, MCCORQUODALE, OGAWA,
RAYMOND, ROBERTS.

NOES: COOPER

ABSENT: CORTESE, FERRITO, KOPP, SILVER

REPORT OF AIR POLLUTION CONTROL OFFICER
Milton Feldstein

Mr. Feldstein advised that there would be a Workshop on Resource Recovery Facilities on October 19, 1979 at 9:30 A.M.; and a Workshop on Phase I of the Dames & Moore SO₂ Modeling Study on October 29, 1979, at 9:30 A.M.

CHAIRPERSON'S REPORT
Barbara Boxer

Chairperson Boxer reported on the meeting of the Ad Hoc Committee for Closer Liaison with ARB on October 3, 1979, advising that Mrs. Marjorie Evans would be invited to meet with the Board on November 7, because of the serious reservations which the ARB has with the District's RACT Rules.

Mrs. Boxer reported on her radio appearance with respect to the Inspection and Maintenance Program .

Mr. Cooper left at 11:10 A.M.

Chairperson Boxer reported the Personnel Committee would meet on October 31, 1979 to discuss the grievance filed by Michael Rothenberg and the Advisory Council vacancies.

PUBLIC COMMENTS

There were none.

OTHER

Mr. Landis presented to the Board a copy of his presentation to the California Association of Sanitation Agencies entitled, Local Agency Directors - Labor Negotiations - Employee Relations and the Law, undated.

Mr. Asera expressed concern as to the amount of smoke emanating from the burning done on the Suisun Marsh, Mr. Feldstein advising that the Staff would be meeting with him and other Supervisors from Salano County on November 7, 1979, after the Board meeting, with respect thereto.

- - -

Mr. Chapman requested a discussion of the Hearing Board's decision

with respect to the CBE Appeal of the APCO's permit issued to Kaiser Cement Company, as to how it affects the District's regulations and performance of the Staff. Mr. Powell advised that all three parties in the matter had requested a re-hearing and that it was now before the Hearing Board.

After discussion, Chairperson Boxer stated the Executive Committee would meet to discuss the decision at the appropriate time.

- - -

Mr. Doetsch expressed concern over the increased use of diesel fueled automobiles because of the smoke and odor therefrom. Chairperson Boxer requested Staff to present a summary of this matter to the Executive Committee.

- - -

The following reports were presented:

Pending Referrals from Board of Directors, dated October 4, 1979.
Board Referrals to Advisory Council, dated September 19, 1979.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, November 7, 1979, 939 Ellis Street, San Francisco, California.

Mr. Ogawa moved the meeting adjourn at 11:15 A.M.; seconded by Mr. Doetsch; carried.

Respectfully submitted,

Mabel Harder
Clerk of the District

A1581
Nov. 7, 1979

3

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

ENVIRONMENTAL
AIR
1979
CALIFORNIA

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
November 7, 1979
9:30 A.M.

939 Ellis Street
San Francisco,
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Larry Asera, Edward J.
Bacciocco, Jr., Barbara Boxer,
Sam Chapman, Fred F. Cooper,
Dominic L. Cortese, Ralph P.
Doetsch, Sr., Eric H. Hasseltine,
Pamela Ketcham, Quentin Kopp,
L.N. "Judge" Landis, Daniel A.
McCorquodale, Valerie Raymond,
Verne L. Roberts.

BOARD MEMBERS ABSENT:

Thomas J. Ferrito, Frank H.
Ogawa, Helen B. Rudee, Carol
Ruth Silver.

ARB MEMBER PRESENT:

Marjorie Evans.

HEARING BOARD MEMBER PRESENT:

Ralph Trower, Vice Chairperson.

ADVISORY COUNCIL MEMBER PRESENT:

Jack C. Oppenheimer, Chairperson.

STAFF MEMBERS PRESENT:

Milton Feldstein, Hulan F.
Brinkley, Daniel Go&alwin,
Richard W. Grieves, Peter Hess,
Dario A. Levaggi, Edward W.
McHugh, John Phillips, John F.
Powell, Ronald C. Raimondi,
Lewis H. Robinson, Mabel Harder.

- - -

Chairperson Boxer called the meeting to order at 9:45 A.M.
A quorum was not present.

PUBLIC PRESENTATION

There were none.

Mr. Bacciocco arrived at 9:46 A.M. A quorum was now present.

APPROVAL OF MINUTES OF OCTOBER 17, 1979

COMMUNICATIONS

Thomas J. Ferrito, Secretary

The following communications were presented:

Minutes of Special Affirmative Action Council Meeting of
August 29, 1979.

Minutes of Affirmative Action Council meeting of September 18, 1979.

Richard B. Ward
Research Associate - Environmental "Freon" Products Division
E.I. duPont DeNemours & Company

joint letter to ARB and District, requesting the ARB to withdraw its
recommendation that the District remove its present exemption for
FC-113, and giving the reasons therefor.

Harry Falk, Jr.
Magma Power Co.
Los Altos

again addressing the question on how local and State Boards can be made
to understand that proposed cures will be much worse than the disease,
referring specifically to Geothermal Development Projects.

U. S. Department of Commerce
Bureau of the Census
1979 survey of local government finances - special agencies.

Stana Hearne
Member of the Advisory Council

recommending that Frank Stead be appointed to the Advisory Council.

Robert Harrison
Assistant General Manager
Western Oil & Gas Association

copy of letter to ARB outlining the areas of discussion between WOGA
representatives and the ARB staff on October 9, 1979 with respect to
controlling leakage from valves in petroleum refineries.

U. S. Department of Commerce
Bureau of the Census

bulletin entitled, Governmental Finances & Employment at a Glance,
May, 1979.

DIVISION MONTHLY REPORTS

The following reports were presented:

Director of Enforcement Monthly Activity Report for October 1979;
Director of Permit Services Monthly Activity Report, September 21,
1979 to October 20, 1979;
Director of Technical Services Monthly Activity Report, September
19, 1979 through October 23, 1979;
Director of Planning Monthly Activity Report, September 19, 1979
through October 23, 1979;
Director of Public Information Monthly Activity Report,
September 26, 1979 - October 26, 1979;
Status of Legal Matters - September 26, 1979 to October 29, 1979;
Director of Administrative Services Appropriation Statement and
Cash Position - June 30, 1979 and July 31, 1979.

RESET PUBLIC HEARING ON EMISSIONS FROM GRAPHIC
ARTS COATING OPERATIONS TO FEBRUARY 5, 1980

The APCO's report entitled, Reset Public Hearing on Emissions from
Graphic Arts Coating Operations to February 5, 1980, dated October
30, 1979, was presented.

REPORT AND APPROVAL OF REFUNDS

The APCO's report entitled, Report of Refunds, dated October 30, 1979,
was presented.

CONTINUATION OF PUBLIC HEARING TO CONSIDER CONTROL
OF EMISSIONS OF SO₂ (REG. 2). TO BE CONTINUED TO
FEBRUARY 5, 1980

The APCO's report entitled, Continuation of Public Hearing to Consider
Control of Emissions of SO₂ (Reg. 2), dated October 30, 1979,
was presented.

On motion of Mr. Roberts; seconded by Mr. Doetsch; the above Consent
Calendar Items were approved.

DISCUSSION OF MUTUAL CONCERNS BETWEEN THE DISTRICT
AND THE AIR RESOURCES BOARD WITH DR. MARJORIE EVANS

The APCO's report, Board Meeting with Dr. Marjorie Evans, Member-
Air Resources Board, dated November 1, 1979, was presented.

Dr. Evans commented in 3 areas:

- 1 - new cooperative efforts between ARB and Districts
- 2 - setting Clean Air Act and Air Quality Maintenance Plan
legalities.
- 3 - report on details of plan as ARB sees it.

Mr. Cortese arrived at 9:50 A.M.

Dr. Evans in commenting on the cooperative efforts, stated that it is the ARB's intention that when Model Rules are promulgated they are agreeable to all Districts, or a work-product of all.

With respect to the legalities of the Clean Air Act, she stated that the ARB has committed to EPA that the District's RACT rule would be equivalent to the ARB's Model Rule.

Mr. Asera arrived at 10:00 A.M.

Mr. Landis left at 10:10 A.M.

Dr. Evans outlined the complexity of forwarding an SIP for the District to EPA because of AB-2517 which she outlined. She stated that if ARB finds that a regulation does not meet the Clean Air Act, it must return it to the District for revision and re-submission; that if it is still not acceptable, the ARB may resubmit. She stated that there are still 5 RACM's which were not acceptable but which have been worked on by the staffs of the ARB and District; that these had been submitted to the EPA with the understanding that an agreement between the District and the ARB would be reached.

She outlined the disagreements with the NSRR, calling attention to the Comparison of NSRR, as contained in Mr. Feldstein's report, stating that with respect to the air quality models, there needed to be uniformity of modeling throughout the State and that it has been suggested a handbook be developed for use by all Districts.

Dr. Hasseltine arrived at 10:17 A.M.

With respect to the disagreement on Commercial natural gas and Halogenated Carbon compounds, she stated she did not support the ARB's staff recommendation that these be defined as organic compounds at this time since no public hearings have been held thereon with respect to toxicity of the compounds.

Mr. Kopp arrived at 10:32 A.M.

With respect to the disagreement on NO_x , she stated that the best information is that NO_x emissions do affect distant areas and is a precursor of ozone; that there is technical evidence that emissions from the District affect other Districts in their attainment and maintenance of EPA requirements and that under State and Federal law the ARB must require the District to control its emissions for the benefit of other Districts.

Dr. Evans stated that the ARB will be holding an emergency hearing on December 12, 1979, on the NSRR.

In discussion, Mr. Cooper stated he did not feel the ARB had authority to require the District to regulate more than is required under the Clean Air Act, specifically with respect to NO_x and coastal waters.

Dr. Hasseltine addressed the NO_x issue, pointing out that it is the oxidant standard which needs to be addressed, of which NO_x is only a part; and outlined cost for requiring NO_x control at a time when energy costs are already high.

Dr. Evans addressed the social issue of the scientific community having a responsibility to provide the public with facts as they are known.

In further discussion, Mr. Feldstein pointed out that he had proposed to the ARB a solution to the impasse with respect to the NSRR, suggesting that the ARB submit it to the EPA as adopted by the District, after which under State law the ARB could reconsider it.

Copy of letter from Robert Harrison, WOGA, to Dr. Alvin Gordon, dated October 16, 1979, with respect to a regulation on valves and flanges and their discussion with the ARB staff, was presented.

Mr. Cortese left at 10:30 A.M.

PUBLIC HEARING TO CONSIDER CONTROL OF EMISSIONS
FROM NEW KRAFT MILLS (NEW REG. 10, RULE 25)

Mr. Brinkley reviewed the APCO's report, Public Hearing on New Source Performance Standard Regulation for Kraft Mills, Rule 25, Regulation 10, dated October 30, 1979.

Chairperson Boxer opened the public hearing at 11:09 A.M.

Mr. Powell presented the Clerk with 9 Affidavits of Publication of Notice of Public Hearing.

There were no presentations.

Mr. Doetsch moved the public hearing be closed at 11:10 A.M.; seconded by Mr. Roberts; carried.

Mr. Doetsch moved the adoption of Resolution 1179, In the Matter of Adopting Rule 25 of Regulation 10 Relating to Kraft Mills; seconded by Mr. McCorquodale; carried on roll call:

AYES: ASERA, BACCIOCCO, BOXER, CHAPMAN,
DOETSCH, HASSELTINE, KETCHAM, KOPP,
MCCORQUODALE, RAYMOND, ROBERTS.

NOES: NONE.

ABSENT: COOPER, CORTESE, FERRITO, LANDIS, OGAWA,
RUDEE, SILVER.

QUARTERLY REPORT OF HEARING BOARD
Ralph Trower, Vice Chairperson

Mr. Trower reviewed the report entitled, Hearing Board Quarterly Report July 1, 1979 - September 30, 1979, dated October 25, 1979.

Mr. Trower pointed out that the Hearing Board was now involved for the first time with respect to BACT involving The Kaiser Company, and with respect to trade-off emissions with respect to the Wickland Oil Company; that a case involving odor with respect to IT Corporation, etal, is now being heard and he addressed the time involved for such hearings and Hearing Board discussions with respect to having two 3 member boards.

In discussion, Mr. Powell pointed out that the statute provides for alternate members to the Hearing Board. Chairperson Boxer suggested that the Executive Committee discuss this concern.

PUBLIC HEARING TO CONSIDER CONTROL OF EMISSIONS
FROM GEOTHERMAL POWER PLANTS (NEW REG. 9, RULE 5)

Mr. Phillips reviewed the APCO's report entitled, Proposed Regulation 9 - Rule 5 - Control of H₂S Emissions from Geothermal Power Plant Operations Public Hearing, dated October 29, 1979. Mr. Phillips stated that there is no such operation currently in existence in the District.

The recodified version of Regulation 9, Rule 5, draft dated November 7, 1979, was presented.

Chairperson Boxer opened the Public Hearing at 11:26 A.M.

Mr. Powell presented the Clerk with 9 Affidavits of Publication of Notice of Public Hearing.

The following made presentations:

Jeffrey P. Wagner
Sr. Civil Engineer
Pacific Gas & Electric Company

presented a written statement, not in opposition to the adoption of the proposed regulation but pointing out that technology may not be capable of achieving the requirements on a long term continuous basis.

There was discussion on sources being able to meet the regulation if it were adopted.

Rebecca Beemer
Thermal Power Company

expressed concern over §§302 and 303 and that existing technology may not be able to meet the regulation.

In discussion, Mr. Cooper moved that the matter be continued until December 5 for further hearing, so that Ms. Beemer could discuss her objections with the Staff; seconded by Mr. Doetsch; carried.

REPORT OF PERSONNEL COMMITTEE
Thomas J. Ferrito, Chairperson

In the absence of Chairperson Ferrito, Vice Chairperson Ketcham reported that the Committee met on October 31, 1979 to hear the Grievance of Michael Rothenberg; that the hearing thereon would continue after the Board meeting today.

REPORT OF AIR POLLUTION CONTROL OFFICER
Milton Feldstein

Report on Resource Derived Fuel Meeting

Mr. Feldstein reported thereon.

CHAIRPERSON'S REPORT
Barbara Boxer

Chairperson Boxer advised that Supervisor Helen B. Rudee, Sonoma County, had been appointed to the Board. She requested Staff to contact her for orientation purposes.

Chairperson Boxer reported that the Board would not meet on November 21 because of lack of sufficient District business to discuss.

Dr. Bacciocco left at 11:30 A.M.

OTHER

Dr. Hasseltine advised that the County Supervisors Association of California is proposing a resolution supporting the vehicle inspection program and requested the Directors to support this proposal.

- - -

The following reports were presented:

Pending Referrals from Board of Directors, dated October 17, 1979.
Board Referrals to Advisory Council, dated October 17, 1979.

TIME AND PLACE OF NEXT MEETING

9:30 A.M. Wednesday, December 5, 1979, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 11:50 A.M.

Respectfully submitted,

Mabel Harder
Clerk of the District

MH:js

41581
Nov. 21, 1979

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BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109

ENVIRONMENTAL
ART

NOV 21 1979

BOARD OF DIRECTORS REGULAR MEETING

UNIVERSITY OF CALIFORNIA

Wednesday
November 21, 1979
9:30 A.M.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

None

BOARD MEMBERS ABSENT:

Larry Asera, Edward J.
Bacciocco, Jr., Barbara Boxer,
Sam Chapman, Fred F. Cooper,
Dominic L. Cortese, Ralph P.
Doetsch, Sr., Thomas J.
Ferrito, Eric H. Hasseltine,
Pamela Ketcham, Quentin Kopp,
L.N. "Judge" Landis, Daniel A.
McCorquodale, Frank H. Ogawa,
Valerie Raymond, Verne L.
Roberts, Helen B. Rudee,
Carol Ruth Silver.

STAFF MEMBERS PRESENT:

Mabel Harder

- - -

Ms. Harder called the meeting to order at 9:30 A.M. A quorum not being present, the meeting was adjourned to Wednesday, December 5, 1979, 9:30 A.M., 939 Ellis Street, San Francisco, California.

Respectfully submitted,

Mabel Harder
Clerk of the District

A1581

Dec. 5, 1979

VERMONT
LIBRARY

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

1580

UNIVERSITY OF CALIFORNIA

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
December 5, 1979
9:30 a.m.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Edward J. Bacciocco, Jr.,
Barbara Boxer, Sam Chapman,
Fred F. Cooper, Ralph P.
Doetsch, Sr., Eric H.
Hasseltine, Pamela Ketcham,
L.N. "Judge" Landis, Daniel
A. McCorquodale, Frank H.
Ogawa, Valerie Raymond, Vernon
L. Roberts, Helen B. Rudee,
Carol Ruth Silver.

BOARD MEMBERS ABSENT:

Larry Asera, Dominic L.
Cortese, Thomas J. Ferrito,
Quentin Kopp.

ADVISORY COUNCIL MEMBER PRESENT:

Jack C. Oppenheimer, Chair-
person; Dr. Kong Meng Tan.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F.
Bell, Hulan F. Brinkley,
Daniel Goalwin, Peter Hess,
Dario A. Levaggi, Edward W.
McHugh, John Phillips, John
F. Powell, Lewis H. Robinson,
Mabel Harder.

- - -

Chairperson Boxer called the meeting to order at 9:45 a.m.

PUBLIC PRESENTATION

There were none.

APPROVAL OF MINUTES OF NOVEMBER 7, & NOVEMBER 21, 1979

COMMUNICATIONS

Thomas J. Ferrito, Secretary

The following communications were presented:

Marjorie W. Evans
ARB

inviting the Directors to their Hearing on December 12,
with respect to the Bay Area Air Quality Maintenance Plan.

Martin R. Glick, Director
State of California Employment Development Department
submitting an Occupational employment survey.

Vincent P. Barabba
Bureau of the Census

submitting the Annual Survey of Government Employment - October
1979.

Jeff Gabe
Citizens for a Better Environment

submitting suggested changes to the District's New Source Review
Rule.

Burcey Littleton
Classified Advertising
Post Newspaper Group

soliciting publication of Legal Notices.

Gary L. Crawford
Surveying Supervisor
Solano County

submitting proposed formation of the Town & Country Landscape
Maintenance District.

DIVISION MONTHLY REPORTS

The following reports were presented:

- (Director of Enforcement Monthly Activity Report for November 1979;
- Director of Permit Services Monthly Activity Report, Permit Services Division, October 21, 1979 to November 20, 1979;
- Director of Planning Monthly Activity Report, October 24 through November 20, 1979;
- Director of Technical Services Monthly Activity Report, October 24 through November 20, 1979;
- Director of Public Information Monthly Activity Report, October 26, 1979 - November 20, 1979;
- Status of Legal Matters - October 30, 1979 to November 26, 1979;
- Director of Administrative Services Appropriation Statement and Cash Position for August 31, 1979, September 30, 1979, and October 31, 1979.

NOTICE OF PROPOSED UPDATING OF ADMINISTRATIVE CODE

The APCO's report entitled, Notice of Updating of Administrative Code, dated November 28, 1979, was presented.

REPORT AND APPROVAL FOR TRANSFER OF FUNDS

The APCO's report entitled Transfer of Funds dated November 27, 1979 was presented.

Adopted Resolution No. 1180, In the Matter of Transferring Funds from Services and Supplies to Salaries and Fringe Benefits.

REPORT ON REFUNDS

The APCO's report entitled, Refunds, dated November 27, 1979 was presented.

REPORT TO CONSIDER CONTROL OF EMISSIONS FROM PERCHLOROETHYLENE DRY CLEANING OPERATIONS (REG. 27) TO BE CONTINUED TO FEBRUARY 20, 1980.

CONTINUATION OF PUBLIC HEARING TO CONSIDER CONTROL OF EMISSIONS FROM DRY CLEANING OPERATIONS (REG. 22) TO BE CONTINUED TO FEBRUARY 20, 1980.

The APCO's report entitled, Continuation of Public Hearings, dated November 20, 1979, was presented.

On motion of Mr. Ogawa; seconded by Mrs. Ketcham; the above Consent Calendar items were approved on roll call:

AYES: BACCIOCCO, BOXER, CHAPMEN, COOPER, DOETSCH,
KETCHAM, LANDIS, OGAWA, RAYMOND, ROBERTS,
SILVER.

NOES: NONE.

ABSENT: ASERA, CORTESE, FERRITO, HASSELTINE,
KOPP, McCORQUODALE.

ABSTAINING: RUDEE.

REPORT OF THE AD HOC COMMITTEE TO REVIEW SALARY OF AIR POLLU-
TION CONTROL OFFICER, COUNSEL AND CLERK OF THE DISTRICT

Ms. Harder advised that the meeting scheduled prior to the Board meeting today had been cancelled; that the next meeting is scheduled for December 19, 1979, 8:00 a.m. Chairperson Boxer stated she would serve as an alternate on the Ad Hoc Committee if Mr. Ferrito could not be present.

REPORT OF PERSONNEL COMMITTEE
Thomas J. Ferrito, Chairperson

In the absence of Chairperson Ferrito, Vice Chairperson Ketcham reported that the Committee met after the Board meeting on November 7 to continue its hearing of the Greivance filed by Mr. Michael Rothenberg; that seven Findings were made, one of which was to direct Mr. Feldstein to carry out his proposal of September 6, 1979 transferring Mr. Rothenberg to the Planning Division, and reporting back to the Personnel Committee at the end of the six months period as to whether or not he will recommend Mr. Rothenberg to be reclassified to Sr. Environmental Specialist.

Mr. Landis moved that the Committee's report be accepted; seconded by Mr. Ogawa; carried on roll call:

AYES: BACCIOCCO, BOXER, CHAPMAN, COOPER, DOETSCH,
KETCHAM, LANDIS, OGAWA, RAYMOND, ROBERTS, SILVER.

NOES: NONE.

ABSENT: ASERA, CORTESE, FERRITO, HASSELTINE,
KOPP, McCORQUODALE.

ABSTAINING: RUDEE.

REPORT OF ADVISORY COUNCIL
Jack C. Oppenheimer, Chairperson

Mr. Oppenheimer reviewed his report entitled, Report of Advisory Council dated December 5, 1979.

Mr. McCorquodale arrived at 9:50 a.m.
Dr. Hasseltine arrived at 9:51 a.m.

Dr. Tan reviewed the studies on the health effects of air pollution as contained in the Advisory Council report, stating that the Advisory Council did not wish to issue an opinion on the studies until the final conclusions had been submitted.

In discussion, Mr. Cooper expressed concern that even though the Public Health Committee was expressing concern about the study by the State Health Department, it did not wish to issue an opinion; to which Dr. Tan responded that the Committee discussed the issue at length and decided that it would wait for the final conclusion before making an opinion; that the persons conducting the study are aware of the defects in the plan and are aware of the Committee's concern; that the difference in income levels of the two groups being studied is a flaw.

Mr. Levaggi reviewed the sampling done in connection with the study, stating that one year of data was collected specifically for it.

After further discussion and expressions of concern that it was important to have confidence in the study, Mr. Cooper moved that the Staff contact the UC School of Public Health to determine if the District could get an appropriate individual to look at how the study is set up and give the Board comments thereon; seconded by Dr. Bacciocco.

In discussion Dr. Tan stated that given the limitations in the study, it would be very difficult to draw valid conclusions and suggested that the Board request the Advisory Council Public Health Committee to detail the defects it has seen in the study and submit them to the Board for its information, which suggestion Mr. Cooper incorporated in his motion.

After further discussion, Ms. Silver moved a substitute motion that the Board direct a letter to the Public Health Committee asking the Committee to re-examine the matter and reconsider its decision not to issue a list of defects of the study and request the Committee to take such action, as enlisting the help of a member of the UC Medical School or someone competent in the matter to comment thereon; that the Board direct a letter to the persons responsible for the design and management of the study telling them the Board has had a discussion of the matter and has redirected the Public Health Committee to look into it, and request them to meet with the Committee and appear before the Board when the matter is next discussed so that the Board can talk directly with the conductors of the study; seconded by Mr. Cooper.

After further discussion, Mr. Cooper amended his motion to request the Public Health Committee to send the Board comments on the possible defects in the study as they see them and a recommendation as to what the Board should do about the defects; seconded by Ms. Silver; carried on roll call:

AYES: BACCIOCCO, BOXER, CHAPMAN, COOPER, DOETSCH,
HASSELTINE, KETCHAM, LANDIS, McCORQUODALE,
OGAWA, RAYMOND, ROBERTS, RUDEE, SILVER.

NOES: NONE.

ABSENT: ASERA, CORTESE, FERRITO, KOPP.

Chairperson Boxer requested the Committee respond in 30 days.

CONTINUATION OF PUBLIC HEARING TO CONSIDER CONTROL OF EMISSIONS
FROM GEOTHERMAL POWER PLANTS (RECODIFIED REGULATION 9, RULE 5)

Mr. Feldstein briefly reviewed his report entitled, Revised Proposal, Regulation 9 Rule 5: Control of H₂S Emissions from Geothermal Power Plant Operations, dated November 25, 1979.

Chairperson Boxer opened the public hearing at 10:20 a.m.

The following made presentations:

Jeffrey P. Wagner
Senior Civil Engineer
Pacific Gas & Electric Company

presented a written statement and also called attention to their comments submitted November 7, 1979. He requested Staff to reconsider the application of the 0.06 ppm 3 minute standard in the present Regulation.

After discussion, Mr. Feldstein was requested to report to the Board on the 1972 H₂S regulation as it applies to geothermal operations.

Mr. Phillips reviewed the H₂S regulation, stating limitations on power plants was not changed from the original proposal.

William Lockman
AMAX, Inc.

presented a written statement expressing concern that the standard could be achieved and as to cost.

The public hearing was closed at 10:30 a.m. and Mr. Ogawa moved the adoption of Resolution No. 1181, In the Matter of Adopting Rule 5 of Regulation 9 Relating to the Control of H₂S emissions from Geothermal Power Plants; seconded by Mr. Chapman, carried on roll call:

AYES: BOXER, CHAPMAN, COOPER, DOETSCH, HASSELTINE,
KETCHAM, LANDIS, McCORQUODALE, RAYMOND,
ROBERTS, RUDEE, SILVER.

NOES: NONE.

ABSENT: ASERA, BACCIOCCO, CORTESE, FERRITO, KOPP, OGAWA.

PUBLIC HEARING TO CONSIDER CONTROL OF EMISSIONS FROM REFINERY
LEAKS (RECODIFIED REGULATION 8, RULE 18)

The APCO's report entitled, Proposed Flange Rule - Recodified Regulation 8, Rule 18, dated November 28, 1979 was presented.

Chairperson Boxer opened the public hearing at 10:50 a.m. Mr. Powell presented the Clerk with 9 Affidavits of Publication of Notice of Public Hearing.

There were no presentations and the public hearing was closed at 10:51 a.m.

Mr. Landis moved the adoption of Regulation No. 1182, In the Matter of Amending Rule 18 of Regulation 8 Relating to the Control of Emissions from Valves and Flanges at Refineries; seconded by Mr. Chapman, carried on roll call:

AYES: BACCIOCCO, BOXER, CHAPMAN, COOPER, DOETSCH,
HASSELTINE, KETCHAM, LANDIS, MCCORQUODALE,
RAYMOND, ROBERTS.

NOES: NONE.

ABSENT: ASERA, CORTESE, FERRITO, KOPP, OGAWA, SILVER.

ABSTAINING: RUDEE.

REPORT OF AIR POLLUTION CONTROL OFFICER
Milton Feldstein

Discussion of Alternatives on New Source Review Regulation.

Chairperson Boxer advised that the ARB would meet on December 12, 1979 at 9:00 a.m. in the State Building on the District's NSRR.

Mr. Feldstein reviewed his report entitled, Discussion of Options for Board Consideration on December 19, 1979 on a New Source Review Regulation, dated November 27, 1979, specifically the Tables attached thereto.

In discussion, Mr. Feldstein stated he did not feel there is documented evidence that NO_x causes a specific quantity of ozone formation; that large amounts of NO_x from a single point source will interfere with the NO₂ standard.

Dr. Bacciocco stated he felt the Board should decide whether or not it should challenge the ARB on the procedural issue, calling attention to Senator John W. Holmdahl's letter to Mr. Landis dated November 30, 1979.

After further discussion as to the ARB's responsibility; the forwarding of the District's regulation to the EPA to make the determination; whether there was sufficient information with respect to the NO_x problem affecting other districts, Mr. Chapman moved that the Board indicate that it would seriously consider adopting the Staff recommendation on ship emissions 70 miles out to sea if the ARB would back off on the issue; seconded by Mr. Cooper.

Dr. Bacciocco moved a substitute motion that the Board maintain the position that it took in June and instruct the ARB to send to EPA the District's unabridged resolution with any dissenting comments that the Chairwoman has suggested and have EPA, who is the highest authority in this regard, determine whether it would have the ARB's modification or the District's regulation; seconded by Mr. Landis.

There was further discussion on the ARB's jurisdiction, legislation with respect to it, and the District's jurisdiction, after which the motion carried on roll call:

AYES: BACCIOCCO, BOXER, COOPER, HASSELTINE,
LANDIS, OGAWA, ROBERTS, SILVER.

NOES: CHAPMAN, DOETSCH, KETCHAM, MCCORQUODALE,
RAYMOND.

ABSENT: ASERA, CORTESE, FERRITO, KOPP.

ABSTAINING: RUDEE.

Status Report on SO₂ Study

Deferred for discussion until the Board's next meeting.

CHAIRPERSON'S REPORT Barbara Boxer

Chairperson Boxer reported that the Executive Committee would meet on January 9, 1980 at 8:30 a.m.

PUBLIC COMMENTS

There were none.

OTHER

Mr. Landis suggested that a way be found to establish a communication medium with other air pollution control districts to address the larger issues of the relation of air pollution control and other areas. Chairperson Boxer suggested Mr. Landis present a written proposal along those lines, pointing out that the Board now has a much better working relationship with the ARB because of the efforts of several Board members.

The following reports were presented:

Pending referral from Board of Directors, dated November 7, 1979.

Board referrals to Advisory Council, dated November 14, 1979.

TIME AND PLACE OF NEXT MEETING

9:30 a.m., Wednesday, December 19, 1979, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 11:55 a.m.

Respectfully submitted,

Mabel Harder
Clerk of the District

MH/yd

A1581

Dec 19, 1979

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JAN 14 1980

UNIVERSITY OF CALIFORNIA

BOARD OF DIRECTORS REGULAR MEETING

Wednesday ✓
December 19, 1979
9:30 a.m.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Larry Asera, Edward J.
Bacciocco, Jr., Barbara
Boxer, Sam Chapman,
Ralph P. Doetsch, Sr.,
Thomas J. Ferrito, Eric
H. Hasseltine, Pamela
Ketcham, Quentin Kopp,
L.N. "Judge" Landis,
Daniel A. McCorquodale,
Frank H. Ogawa, Valerie
Raymond, Verne L. Roberts,
Helen B. Rudee, Carol
Ruth Silver.

BOARD MEMBERS ABSENT:

Fred F. Cooper, Dominic
L. Cortese.

ADVISORY COUNCIL MEMBER PRESENT:

Hiram Wolch.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas
F. Bell, Hulan F. Brinkley,
Daniel Goalwin, Peter Hess,
Dario A. Levaggi, Edward
W. McHugh, John F. Powell,
Lewis H. Robinson, Mabel
Harder.

- - -

Chairperson Boxer called the meeting to order at 9:55 a.m.

PUBLIC PRESENTATION

There were none.

COMMUNICATIONS

Thomas J. Ferrito, Secretary

The following communications were presented:

Paul M. Mitchell, Jr.
Western Regional Engineering Services
TREMCO, Inc.

explanation of TREMCO's manufacturing codes with respect to Architectural Surface Coatings.

Kathryn J. Tobias
Acting Chairperson
State of California
Geothermal Coordinating Council

seeking candidates to serve as its Public members; and requesting response by December 28, 1979.

REPORT OF REFUNDS

The APCO's report entitled, Refunds, dated December 13, 1979, was presented.

PROPOSED UPDATING OF ADMINISTRATIVE CODE

The APCO's report entitled, Updating of Administrative Code, dated December 13, 1979, was presented.

Adopted Resolution No. 1183, In the Matter of Amending the Administrative Code.

APPROVAL OF JOB QUALIFICATIONS FOR SENIOR RESEARCH ENGINEER
AND AIR POLLUTION TECHNICAL AIDE

The APCO's report entitled, Approval of Job Description, dated December 13, 1979, was presented.

Mr. Doetsch moved the approval of the above Calendar items seconded by Mr. Chapman; carried on roll call:

AYES: BOXER, CHAPMAN, DOETSCH, FERRITO, KETCHAM,
LANDIS, OGAWA, RAYMOND, ROBERTS, RUDEE,
SILVER.

NOES: NONE.

ABSENT: ASERA, BACCIOCCO, COOPER, CORTESE, HASSELTINE,
KOPP, MCCORQUODALE.

REPORT OF PERSONNEL COMMITTEE
Pamela Ketcham, Vice Chairperson

Mrs. Ketcham reviewed her report entitled, Report and Recommendations of the Personnel Committee, dated December 12, 1979, in which the Committee recommended that the following individuals be appointed to the Advisory Council for a term to expire January 1, 1981.

John W. Daily - in the Colleges or Universities category.

William H. Duewer - in the Public-at-Large category.

Frank E. Biehl - in the Community Planning category.

Mrs. Ketcham moved that the Board adopt the Committee's recommendations; seconded by Mr. Ogawa; carried.

REPORT OF AD HOC COMMITTEE TO REVIEW SALARY OF AIR POLLUTION
CONTROL OFFICER, COUNSEL AND CLERK OF THE DISTRICT

Thomas J. Ferrito, Chairperson

Mr. Ferrito reported that the Ad Hoc Committee met prior to the Board meeting and requested an Executive Session after the Board meeting to discuss the matter, and Chairperson Boxer so ordered.

PUBLIC HEARING TO CONSIDER AMENDMENTS FOR OPEN BURNING RELATING
TO FIRE TRAINING (RECODIFIED REG. 5)

Mr. Brinkley reviewed the APCO's report entitled, Public Hearing on Revision to Recodified Regulation 5 - Fire Training, dated December 15, 1979.

Mrs. Raymond moved the adoption of resolution No. 1184, In the Matter of Amending Regulation 5 Relating to Fire Training; seconded by Mr. Ogawa; carried on roll call.

AYES: BOXER, CHAPMAN, DOETSCH, FERRITO, KETCHAM,
LANDIS, OGAWA, RAYMOND, ROBERTS, RUDEE, SILVER.

NOES: NONE

ABSENT: ASERA, BACCIOCCO, COOPER, CORTESE, HASSELTINE,
KOPP, McCORQUODALE.

Ms. Silver moved to rescind the motion because the matter had not been opened to public hearing; seconded by Mr. Ogawa; carried.

Chairperson Boxer opened the public hearing at 10:00 a.m.

Mr. Powell presented the Clerk with 9 Affidavits of Publication of Notice of Public Hearing.

There were no presentations.

Mrs. Raymond moved the public hearing be closed at 10:01 a.m. and that Resolution No. 1184, In the Matter of Amending Regulation 5 Relating to Fire Training, be adopted; seconded by Mr. Ogawa; carried on roll call.

AYES: BOXER, CHAPMAN, DOETSCH, FERRITO, KETCHAM,
LANDIS, OGAWA, RAYMOND, ROBERTS, RUDEE,
SILVER.

NOES: NONE

ABSENT: ASERA, BACCIOCCO, COOPER, CORTESE, HASSELTINE,
KOPP, MCCORQUODALE.

PUBLIC HEARING TO CONSIDER CORRECTIONS, ADDITIONS AND/OR
CHANGES TO RECODIFIED AND REVISED REGULATIONS

Chairperson Boxer reported on the meeting which she and Vice-Chairperson Bacciocco had with members of the ARB on December 12, 1979, at which it was suggested that a subcommittee of the Board be appointed to meet with ARB Board members to discuss the areas of disagreement in the New Source Review Regulation; that she had appointed Directors Chapman, Hasseltine, Ketcham, Landis and Raymond, who met with the ARB on December 17, 1979.

Mrs. Raymond reported on the meeting, stating the ARB will support the District's proposal on ship emissions.

Director Asera arrived at 10:05 a.m.
Director Hasseltine arrived at 10:06 a.m.

Mrs. Raymond reported that with respect to the disagreement on the NO_x offsets, the ARB was of the opinion that the proposed NO_x regulation is appropriate for the District, and requested that the resolution adopted by the District Board clarify its rationale.

Dr. Hasseltine pointed out that economics needed to be considered and that it was difficult to assess what is cost-effective and cost-beneficial.

Corrections and Non-Substantive Changes

Mr. Feldstein referred to his report, Public Hearing on Changes and Corrections to the Recodified Regulations for the District, dated December 13, 1979, reviewing Group A entitled, Non-Controversial Changes - Format Changes.

Chairperson Boxer opened the public hearing at 10:20 a.m., with respect to Group A. Mr. Powell presented the Clerk with 9 Affidavits of Notice of Public Hearing.

There were no presentations.

Dr . Hasseltine moved the public hearing be closed at 10:21 a.m. and that the Board adopt Resolution No. 1185, In the Matter of Amending the Recodified and Revised Rules and Regulations of the District; seconded by Ms. Silver: carried on roll call:

AYES: ASERA, BOXER, CHAPMAN, DOETSCH, FERRITO,
HASSELTINE, KETCHAM, LANDIS, OGAWA, RAYMOND,
ROBERTS, RUDEE, SILVER.

NOES: NONE

ABSENT: BACCIOCCO, COOPER, CORTESE, KOPP, MCCORQUODALE.

VOC Regulations

Mr. Feldstein reviewed Group B - VOC Regulations attached to his report.

Chairperson Boxer opened the public hearing thereon at 10:22 a.m. The following made presentations:

Victor Sussman
Ford Motor Company

commented on Section 304.4, stating the language was different from other States, and the EPA expressed concern on transfer efficiencies.

Mr. Ogawa moved the public hearing be closed at 10:25 a.m. and that the Board adopt Resolution No. 1186, In the Matter of Amending the Recodified and Revised Rules and Regulations of the District; seconded by Mr. Landis; carried on roll call:

AYES: ASERA, BOXER, CHAPMAN, DOETSCH, FERRITO,
HASSELTINE, KETCHAM, LANDIS, OGAWA, RAYMOND,
ROBERTS, RUDEE, SILVER.

NOES: NONE

ABSENT: BACCIOCCO, COOPER, CORTESE, KOPP, MCCORQUODALE

NEW SOURCE REVIEW

Mr. Feldstein reviewed the document entitled, Alternative Proposal for Including Ship Emissions in California Coastal Waters as Part of a New or Modified Source.

Chairperson Boxer opened the public hearing thereon at 10:40 a.m. The following made presentations:

Gerald L. Pope
Port of Oakland
California Association of Port Authorities

requested the Board defer a regulation on off-shore emissions, pointing out that ARB Rule 13 is being deferred for 60 days.

There was discussion on how the regulation would affect port expansion; definition of cumulative emissions; emissions from present port operations; Mr. Powell pointed out that the definition of, "Stationery Source", Section 2-2-210 would have to be reviewed if ship emissions were excluded at this time.

After further discussion, Ms. Silver moved that the public hearing be closed at 11:00 a.m.; seconded by Mrs. Raymond; carried.

Mrs. Raymond moved the adoption of Resolution No. 1187, in the Matter of Amending the Recodified and Revised Rules and Regulations of the District; seconded by Ms. Silver; carried on roll call:

AYES: ASERA, BOXER, CHAPMAN, DOETSCH, FERRITO, HASSELTINE, KETCHAM, LANDIS, OGAWA, RAYMOND, ROBERTS, RUDEE, SILVER.

NOES:: NONE

ABSENT: BACCIOCCO, COOPER, CORTESE, KOPP, McCORQUODALE.

Mr. Feldstein presented an Addendum (Typographical Omission) dated December 19, 1979 with respect to the Alternative Proposal for Including Ship Emissions in California Coastal Waters, requesting that this be incorporated as part of the Regulation, and Mr. Asera so moved; seconded by Ms. Silver; carried on roll call.

AYES: ASERA, BOXER, CHAPMAN, DOETSCH, FERRITO, HASSELTINE, KETCHAM, LANDIS, OGAWA, RAYMOND, ROBERTS, RUDEE, SILVER.

NOES: NONE

ABSENT: BACCIOCCO, COOPER, CORTESE, KOPP, McCORQUODALE.

Mr. Feldstein reviewed the document entitled, Alternative Proposal for Requiring NO_x Offsets - Alternate Section 2-2-303. By means of slides he reviewed the estimated cost of building a new power plant with BACT based on a present proposed coal-fired plant costing \$64 MM to build; \$25 MM yearly operational cost; and \$38 MM yearly amortization, stating that NO_x control would be about 3½ % of the basic plan; NO_x reduction would be about 40 MM #/Y or 600 MM # over the life of the plant; cost-effectiveness for removal of NO_x amortized over 15 years would be 97 ¢/#.

Dr. Bacciocco arrived at 11:10 A.M.

There was discussion on what the additional cost would be for the cumulative increased proposal; that technology is presently available or will be available shortly. With respect to cost-effectiveness, by means of slides, Mr. Feldstein compared the cost per kilowatt hour of a coal-fired power plant with BACT, with an existing combined cycle distillate fuel plant.

Mr. Goalwin, in a presentation, quoted figures from a PUC report on Southern California Edison Company based on 1978 amortized cost for NO_x Offset emissions, stating it would cost an additional \$8 MM per year for BACT on the offsets required for emissions over 550#/D.

Mr. McCorquodale arrived at 11:22 a.m.

There was discussion that the District already required BACT on NO_x, but that the additional \$8MM cost is for offsets that would be required.

Mr. Kopp arrived at 11:25 a.m.

Mr. Feldstein outlined cost-effectiveness for other contaminants, stating hydro-carbon reduction cost is in the range of 60¢ to \$2/#; SO₂ costs per year were similar.

Mr. Ogawa left at 11:40 a.m.

Chairperson Boxer opened the public hearing at 11:26 a.m. The following made presentations:

John McKenzie
Pacific Gas and Electric Company

objected to NO_x trade-offs, stating that EPA did not require them as a precursor to ozone; that it was important to have a clearly identifiable modeling provision and proposed an addition to Section §§ 2-2-301.1 and 2-2-301.2. He requested that Section 2-1-203 be deleted if there were a modeling provision requirement.

Mr. Feldstein in comments stated a modeling provision could be incorporated; that the Staff proposed resolution deleted that portion of §2-1-203 with respect to Federal levels.

Mr. McKenzie commented on cost figures developed by Staff stating BACT needed to be defined; that he did not feel BACT was SCR; that the levelized annual cost is \$264 MM/Y for SCR in 1986 dollars.

There was discussion on the definition of BACT.

Ms. Silver left at 11:52 a.m.

In discussion, Mr. McKenzie stated that one T/D offset would cost \$7 MM on an amortized basis. There was further discussion on 1980 vs. 1986 dollars, and capital costs, and offset costs in 1986 dollars.

After further discussion, Mr. Feldstein stated that the Staff would draft appropriate language for a modeling proposal, for submission to the Board.

Jeffrey Gabe
Citizens for a Better Environment

addressed the potential damage down-wind from NO_x emissions.

Lynn Sussman
The Coalition Against Coal-Fired Plants

requested NO_x Offsets be included.

Mrs. Raymond moved the public hearing be closed at 12:05 p.m., seconded by Mr. Roberts, carried.

Mr. Ferrito moved the adoption of Resolution No. 1188 In the Matter of Amending the Recodified and Revised Rules and Regulations of the District, adopting the Staff proposal for requiring NO_x offsets and directing Staff to work on a proposal for modeling so that if modeling proves offsets are not required, they need not be; seconded by Mr. Kopp.

In discussion, Dr. Hasseltine expressed concern that the incremental increase under the proposal could be as high as \$100 MM per year which would be 10-12 % increase in household PG&E bills.

Mr. Feldstein pointed out that the technology available to PG&E is a selective catalytic reduction system. Mr. Ferrito expressed concern that cost figures for loss to health and crop because of NO_x emissions had not been addressed.

Dr. Bacciocco moved a substitute motion that the District require offsets if BACT chosen is a catalytic converter, which will reduce emissions to a point where the offsets would be reasonable, and would not be an astronomical cost to the public, or other technology which would reduce emissions to a similar level; seconded by Dr. Hasseltine.

After discussion on modeling, Dr. Bacciocco withdrew his motion.

The motion then carried on roll call.

AYES: ASERA, BACCIOCO, BOXER, CHAPMAN, DOETSCH,
FERRITO, KETCHAM, KOPP, MCCORQUODALE,
RAYMOND,

NOES: NONE

ABSENT: COOPER, CORTESE, OGAWA, SILVER.

Dr. Bacciocco left at 12:20 p.m.

There was a brief discussion on considering the balance of the Regulation, including the Banking provisions and Alternative Siting, after which Chairperson Boxer opened the public hearing thereon at 12:24 p.m.

It was agreed that the Banking and the Alternative Siting provisions would be discussed at a future time in more detail, but adopted as submitted today.

Mrs. Raymond moved the public hearing be closed at 12:26 p.m. and the adoption of Resolution No. 1189 In the Matter of Amending the Recodified and Revised Rules and Regulations of the District; seconded by Mr. Chapman; carried on roll call:

AYES: BOXER, CHAPMAN, DOETSCH, FERRITO, HASSELTINE, KETCHAM, KOPP, LANDIS, MCCORQUODALE, RAYMOND, ROBERTS, RUDEE.

NOES: NONE

ABSENT: ASERA, BACCIOCCO, COOPER, CORTESE, OGAWA, SILVER.

The following communications were presented in connection with the above agenda item:

Jeff Gabe
Citizens for a Better Environment

attaching a copy of his letter to Mr. Feldstein with respect to proposed revisions to the NSRR.

Michael R. Barr
Pillsbury, Madison & Sutro

commenting on Section 2-2-401.1, proposed alternative siting analysis requirement.

PUBLIC HEARING TO CONSIDER CONTROL OF EMISSIONS FROM MISCELLANEOUS METAL PARTS COATING OPERATIONS (RECODIFIED REG. 8, RULE 19)

The APCO report entitled, Proposed Regulation 8, Rule 19, Control of VOC Emissions from Surface Coating of Miscellaneous Metal Parts and Products, dated December 13, 1979, was presented.

The matter was continued to the meeting of January 9, 1980.

REPORT OF AIR POLLUTION CONTROL OFFICER
Milton Feldstein

Status Report on SO₂ Study

Deferred for discussion until January 9 meeting.

CHAIRPERSON'S REPORT
Barbara Boxer

Deferred until the January 9, 1980 meeting.

PUBLIC COMMENTS

There were none.

OTHER

The following reports were presented:

Board referrals to Advisory Council dated December 5, 1979.

Pending referrals from Board of Directors dated December 5, 1979.

- - -

The Board went into Executive Session at 12:24 p.m., and reconvened at 12:45 p.m.

Mr. Ferrito moved that the Counsel's salary range be identical to that of the Deputy Air Pollution Control Officer; and that the Clerk of the District's salary be \$32,000 per year, both to be effective July 1, 1979; seconded by Mr. Chapman.

Mr. McCorquodale requested a separation of the motion, and it was so ordered.

With respect to the motion on the Counsel's salary, the motion carried.

With respect to the salary of the Clerk of the District, Mr. McCorquodale moved a substitute motion that the salary be \$38,000. per year, as recommended by the APCO; seconded by Mr. Chapman; failed.

Mr. Ferrito's motion that the Clerk of the District's salary be \$32,000 per year, effective July 1, 1979, then carried.

Resolution No. 1190, In the Matter of Amending the Salary Schedule, was adopted.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, January 9, 1980, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 12:47 p.m.

Respectfully submitted,

Mabel Harder
Clerk of the District

MH:yd